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8th. Cong.
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1803-5.

A C T S

PASSED

AT THE FIRST SESSION

OF THE

Eighth Congress

OF THE

UNITED STATES OF AMERICA,

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

IN THE

DISTRICT OF COLUMBIA,

ON MONDAY, THE SEVENTEENTH OF OCTOBER,

In the Year 1803.

AND OF THE

INDEPENDENCE OF THE UNITED STATES

THE TWENTY-EIGHTH.

22074

Oct. 9, 1867.

A C T S

PASSED

At the First Session

OF THE

EIGHTH CONGRESS.

CHAPTER I.

AN ACT to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth of April, last ; and for the temporary government thereof.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorised to take possession of, and occupy the territory ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, between the two nations ; and that he may for that purpose, and in order

Louisiana to
be taken pos-
session of.

Authority of
the United
States in Lou-
isiana esta-
blished.

Appropriations there-
for.

Provisional
government
how execu-
ted.

to maintain in the said territories the authority of the United States, employ any part of the army and navy of the United States, and of the force authorised by an act passed the third day of March last, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals," which he may deem necessary: and so much of the sum appropriated by the said act as may be necessary, is hereby appropriated for the purpose of carrying this act into effect; to be applied under the direction of the President of the United States.

Sec. 2. *And be it further enacted*, That until the expiration of the present session of Congress, unless provision for the temporary government of the said territories be sooner made by Congress, all the military, civil, and judicial powers, exercised by the officers of the existing government of the same, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property and religion.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

APPROVED,

TH: JEFFERSON,

October 31, 1803.

CHAPTER II.

AN ACT authorising the creation of a stock, to the amount of eleven millions two hundred and fifty thousand dollars, for the purpose of carrying into effect the convention of the thirtieth of April, one thousand eight hundred and three, between the United States of America and the French Republic; and making provision for the payment of the same.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of carrying into effect the convention of the thirtieth day of April, one thousand eight hundred and three, between the United States of America, and the French Republic, the secretary of the treasury be, and he is hereby authorised, to cause to be constituted, certificates of stock, signed by the register of the treasury, in favor of the French Republic, or of its assignees, for the sum of eleven millions two hundred and fifty thousand dollars, bearing an interest of six per centum per annum, from the time when possession of Louisiana shall have been obtained, in conformity with the treaty of the thirtieth day of April, one thousand eight hundred and three, between the United States of America and the French Republic, and in other respects conformable with the tenor of the convention aforesaid; and the President of the United States is authorised to cause the said certificates of stock to be delivered to

Louisiana
stock created

Terms of cre-
ation and de-
livery.

Funds how
transferable.

Period of re-
demption
may be short-
ened.

Interest pay-
able in Eu-
rope.

the government of France, or to such person or persons, as shall be authorised to receive them in three months at most, after the exchange of the ratifications of the treaty aforesaid, and after Louisiana shall be taken possession of in the name of the government of the United States; and credit, or credits, to the proprietors thereof, shall thereupon be entered and given on the books of the treasury, in like manner as for the present domestic funded debt, which said credits or stock, shall thereafter be transferable only on the books of the treasury of the United States, by the proprietor or proprietors of such stock, his, her, or their attorney: And the faith of the United States is hereby pledged for the payment of the interest, and for the reimbursement of the principal of the said stock, in conformity with the provisions of the said convention. *Provided however*, That the secretary of the treasury may, with the approbation of the President of the United States, consent to discharge the said stock in four equal annual instalments, and also shorten the periods fixed by the convention for its reimbursement: *And provided also*, that every proprietor of the said stock may, until otherwise directed by law, on surrendering his certificate of such stock, receive another to the same amount, and bearing an interest of six per centum per annum, payable quarter yearly at the treasury of the United States.

Sec. 2. *And be it further enacted*, That the annual interest accruing on the said stock, which may, in conformity with the convention aforesaid, be payable in Europe,

shall be paid at the rate of four shillings and six pence sterling for each dollar, if payable in London, and at the rate of two guilders and one half of a guilder, current money of Holland, for each dollar, if payable in Amsterdam.

Rate of exchange, dollars at 4s. 6d. and 2 1-2 guilders.

Sec. 3. *And be it further enacted*, That a sum equal to what will be necessary to pay the interest which may accrue on the said stock to the end of the present year, be, and the same is hereby appropriated for that purpose, to be paid out of any monies in the treasury not otherwise appropriated.

Interest provided for.

Sec. 4. *And be it further enacted*, That from and after the end of the present year, (in addition to the annual sum of seven millions three hundred thousand dollars yearly appropriated to the sinking fund, by virtue of the act, intituled, "An act making provision for the redemption of the whole of the public debt of the United States,") a further annual sum of seven hundred thousand dollars, to be paid out of the duties on merchandise and tonnage, be, and the same hereby is, yearly appropriated to the said fund, making in the whole, an annual sum of eight millions of dollars, which shall be vested in the commissioners of the sinking fund in the same manner, shall be applied by them for the same purposes, and shall be, and continue appropriated, until the whole of the present debt of the United States, inclusively of the stock created by virtue of this act, shall be reimbursed and redeemed, under the same limitations as have been provided by the first section of the above mentioned act, respecting the

Sinking fund 700,000 dollars added to.

annual appropriation of seven millions three hundred thousand dollars, made by the same.

Secretary of
the Treasury
to pay to com-
missioners
who shall ap-
ply the mo-
ney to dis-
charge of
debt.

Sec. 5. *And be it further enacted*, That the secretary of the treasury shall cause the said further sum of seven hundred thousand dollars to be paid to the commissioners of the sinking fund, in the same manner as was directed by the above mentioned act respecting the annual appropriation of seven millions three hundred thousand dollars; and it shall be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund, yearly, and every year, at the treasury of the United States, such sum and sums as may be annually wanted to discharge the annual interest and charges accruing on the stock created by virtue of this act, and the several instalments, or parts of principal of the said stock, as the same shall become due and may be discharged, in conformity to the terms of the convention aforesaid, and of this act.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

November 10th, 1803.

APPROVED,

TH. JEFFERSON.

CHAPTER III.

AN ACT making provision for the payment of claims of citizens of the United States on the government of France, the payment of which has been assumed by the United States, by virtue of the convention of the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum, not exceeding three millions seven hundred and fifty thousand dollars, (inclusive of a sum of two millions of dollars, appropriated by the act of the twenty sixth day of February, one thousand eight hundred and three, intituled, "An act making further provision for the expenses attending the intercourse between the United States and foreign nations,") to be paid out of any monies in the treasury not otherwise appropriated, be, and the same hereby is appropriated, for the purpose of discharging the claims of citizens of the United States against the government of France, the payment of which has been assumed by the government of the United States, by virtue of a convention made the thirtieth day of April, one thousand eight hundred and three, between the United States of America, and the French Republic, respecting the said claims.

3,750,000
dollars appropriated to pay
citizens of
the United
States.

Sec. 2. *And be it further enacted, That the secretary of the treasury shall cause to*

Claims to be
paid at trea-
sury of U.
States.

be paid, at the treasury of the United States, in conformity to the convention aforesaid, the amount of such claims, above mentioned, as, under the provisions of the said convention, shall be awarded to the respective claimants; which payments shall be made on the orders of the minister plenipotentiary of the United States for the time being, to the French Republic, in conformity with the convention aforesaid, and the said minister shall be charged on the treasury books with the whole amount of such payments, until he shall have exhibited satisfactory proof to the accounting officers of the treasury, that his orders, thus paid, have been issued in conformity with the provisions of the said convention.

President of
United States
to borrow.

Sec. 3. *And be it further enacted*, That the President of the United States be, and he hereby is authorised to borrow, on the credit of the United States, to be applied to the purposes authorised by this act, a sum not exceeding one million seven hundred and fifty thousand dollars, at a rate of interest, not exceeding six per centum per annum; reimbursable out of the appropriation made by virtue of the first section of this act, at the pleasure of the United States, or at such period, not exceeding five years from the time of obtaining the loan, as may be stipulated by contract; and it shall be lawful for the bank of the United States to lend the same.

\$ 1,750,000,
at 6 per cent.
Interest
chargeable on
customs.

Sec. 4. *And be it further enacted*, That so much of the duties on merchandise and tonnage as may be necessary, be, and the same hereby is appropriated for the purpose

of paying the interest which shall accrue on the said loan.

Sec. 5. *And be it further enacted*, That for defraying the expense incident to the investigation of the claims above mentioned, there be appropriated a sum not exceeding eighteen thousand five hundred and seventy five dollars, to be paid out of any monies in the treasury, not otherwise appropriated: *Provided*, That the compensation to be made to any of the commissioners appointed, or to be appointed, in pursuance of the above mentioned convention, shall not exceed the rate of four thousand four hundred and fifty dollars per annum; that the compensation of their secretary shall not exceed the rate of two thousand two hundred and twenty five dollars per annum; and that the compensation of the agent shall not exceed the rate of one thousand dollars per annum.

Expenses of investigation how provided.

Not to exceed 4,450 dollars per annum, beside secretary and agents salaries

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

November 10, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER IV.

AN ACT making an appropriation for carrying into effect the seventh article of the treaty of amity, commerce and navigation between the United States and his Britannic Majesty.

Expenses of
treaty with
Great Britain
of 1794, pro-
vision for.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum not exceeding fifty thousand dollars, to be paid out of any monies in the treasury, not otherwise appropriated, be, and the same hereby is appropriated for the purpose of carrying into effect the seventh article of the treaty concluded at London on the nineteenth day of November, seventeen hundred and ninety four, between the United States of America and his Britannic Majesty.

Funds how
to be provid-
ed.

Sec. 2. *And be it further enacted, That the accounting officers of the treasury be, and they are hereby authorised to allow an interest, not exceeding the rate of six per centum per annum, on one third part of the amount of any award made in pursuance of the aforesaid article, and presented at the treasury previous to the passing of this act, to be calculated from the time when such award shall have been presented.*

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

November 16, 1803.

APPROVED,

TH : JEFFERSON.

CHAPTER V.

AN ACT to repeal the act, entitled " An act to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act, entitled " An act to regulate the collection of duties on imports and tonnage."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed on the fifth day of April, one thousand eight hundred, entitled, " An act to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act, entitled " An act to regulate the collection of duties on imports and tonnage," be, and the same hereby is repealed.

Drawback on goods shipt to New Orleans abolished.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

November 25, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER VI.

AN ACT to repeal an act, entitled "An act to establish an uniform system of Bankruptcy throughout the United States."

Bankrupt act
of 1800, re-
pealed.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act of congress passed on the fourth day of April, one thousand eight hundred, entitled "An act to establish an uniform system of bankruptcy throughout the United States," shall be, and the same is hereby repealed. *Provided nevertheless,* That the repeal of the said act shall in no wise affect the execution of any commission of bankruptcy which may have been issued prior to the passing of this act, but every such commission may and shall be proceeded on and fully executed as though this act had not passed.

What com-
missions may
yet be acted
on.

NATH^L. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

December 19, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER VII.

AN ACT for the relief of John Coles.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers liquidate and adjust the claim of John Coles, owner of the ship *Grand Turk*, heretofore employed in the service of the United States, for the detention of the said ship at Gibraltar, by direction of the American consul at that port, from the tenth day of May to the fourth day of July, one thousand eight hundred and one, inclusive; and that he be allowed demurrage at the rate stipulated in the charter party, together with the interest thereon.

Demurrage
allowed on
ship *Grand
Turk*.

NATH^L. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

January 14, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER VIII.

AN ACT for the relief of Paul Coulon.

Duties on
sales of prizes
refunded.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be paid to Paul Coulon, as agent for the captors of the ship *Betty Cathcart*, and brig *Aaron*, prizes to the French privateer *La Belloné*, out of any monies in the treasury, not otherwise appropriated, the sum of six thousand two hundred and forty one dollars and forty four cents, being the amount retained by the treasury department from the sales of the ship *Betty Cathcart*, for duties on the cargo of the brig *Aaron*.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

Janaury 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER IX.

AN ACT making appropriations for the support of the Navy of the United States, during the year one thousand eight hundred and four.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That

for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and four, the following sums be, and the same hereby are, respectively appropriated, that is to say :

For the pay and subsistence of the officers, and the pay of the seamen, two hundred and thirty four thousand, three hundred and twenty eight dollars :

Navy appropriations.

Pay.

For provisions, one hundred and twenty five thousand, five hundred and eighteen dollars, and seventy two cents :

Provisions.

For medicine, instruments, hospital stores and all expenses on account of the sick, four thousand eight hundred and seventy five dollars :

Medical aid.

For repairs of vessels, store rent, and other contingent expenses, one hundred and forty four thousand dollars :

Repairs.

For the purchase of ordnance, and other military stores, five thousand dollars :

Ordnance.

For the expense of navy yards, docks and other improvements, the pay of superintendants, store keepers, clerks and laborers, fifty two thousand dollars :

Docks.

For the pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, fifty seven thousand five hundred and forty one dollars, and eighty cents :

Marine corps

For clothing for the same, twelve thousand eight hundred and fifty two dollars, and seventy six cents :

Clothing.

For military stores for the same, four hundred and fifty two dollars :

Military stores.

For medicine, medical services, hospital stores, and all expenses on account of the sick belonging to the marine corps, one thousand dollars :

Medical aid.

Barracks, &c.

For quarter masters and barrack masters stores, officers travelling expenses, armourers and carpenters bills, fuel, and other contingent expenses, eight thousand eight hundred and forty seven dollars :

Completion
of the Ma-
rine barracks
at Washing-
ton.

For completing the marine barracks at the city of Washington, three thousand five hundred and eighty four dollars, and seventy two cents :

Funds to pay.

Sec. 2. *And be it further enacted*, That the several sums herein specifically appropriated, shall be paid, first, out of any balance remaining unexpended of former appropriations for the support of the navy, and secondly, out of any monies in the treasury, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

January 31, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER X.

AN ACT to incorporate the Directors of the Columbian Library Company.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That

Stephen B. Balch, Joseph Nourse, Charles D. Green, John Craven, Francis Lowndes, junior, and George French, and their successors, duly elected or appointed in manner herein hereafter directed, be, and they are hereby made, declared and constituted a corporation and body politic in law and in fact, to have continuance forever, by the name, stile and title of "The Directors of the Columbian Library Company in George Town."

Library company constituted.

Sec. 2. *And be it further enacted*, That all and singular, the goods and chattels heretofore given, granted or devised, to the said Library Company, or to any person or persons, for the use thereof, or that may have been purchased for, or on account of the same, be, and the said goods and chattels are hereby vested in, and confirmed to the said corporation: *And further*, That the said corporation may take, and receive any sum, or sums of money, or any goods or chattels, or other effects of what kind or nature soever, which shall, or may hereafter, be given, granted, or bequeathed unto them, by any person or persons, bodies politic or corporate, capable of making such gift or bequest such money, goods, chattels or other effects to be laid out and disposed of, in the purchase of books, maps, charts, drawings, specimens of minerals, fossils, and other natural and artificial productions, calculated to furnish a library and museum, for the use and benefit of the said company, agreeably to the intention of the donors.

Property vested in as corporation.

Rights and privileges.

Use of funds.

Sec. 3. *And be it further enacted*, That the said corporation, by the name, stile,

May sue and
be sued, as
body politic
and corpo-
rate.

and title aforesaid, be, and shall be here-
after forever, able and capable in law, to
sue and be sued, plead and be impleaded,
answer and be answered unto, defend and
be defended, in any court or courts, or
other places, and before any judge or
judges, justice or justices, or other per-
sons whatsoever within the district of Co-
lumbia or elsewhere, in all, and all man-
ner of suits, actions, complaints, pleas,
causes, matters and demands, of whatso-
ever kind or nature they may be, in as full
and effectual a manner, as any other per-
son or persons, bodies politic or corporate,
may or can do.

May have a
seal and offi-
cers.

Sec. 4. *And be it further enacted*, That
the said corporation shall have full power
and authority to make, have, and use, a
common seal, with such device and inscrip-
tion, as they shall think proper, and the
same to break, alter and renew at their plea-
sure; to appoint a treasurer, secretary, and
librarian, to assign them their duties, fix
their compensation, and remove him or
them from office, and appoint another or
others in their place, as often as they shall
think fit; to make, ordain, establish, and
execute such bye laws and ordinances as
may be deemed useful to the institution,
and the same to alter, amend, or abrogate
at pleasure; to fix the price of new shares
and annual contributions on each share; to
direct how transfers may be made and cer-
tified, and judge of the persons proper to be
admitted members; to procure by purchase,
rent, or otherwise, a suitable place for keep-
ing the library and museum; to appoint the
times for keeping the library open, and for

May make
bye laws.

taking out and returning books ; to fill up vacancies that may happen in their number between two annual meetings ; to levy and collect fines and forfeitures, and to determine upon, do, and transact all business and matters appertaining to the said corporation and library company, agreeably to the rules, ordinances and bye laws thereof, during their continuance in office : *Provided*, That not less than three of the said directors form a quorum to do business ; that no bye-law, rule or ordinance shall be made repugnant to the laws of this district ; and that no contribution be laid on any share, in any one year, greater than one fifth of the value of a share, without the consent of a majority of the members.

May collect
fines.

What number
a quorum.

Fines limited

Sec. 5. *And be it further enacted*, That there shall be an annual meeting of the members of the said library company at the library, or such suitable place as the directors may from time to time appoint, of which the directors shall cause public notice to be given in one or more of the newspapers that circulate in the vicinity ; at which time and place, the members, or such of them as may be present, either personally or by proxy, and shall not be in arrears for any annual contribution, fines, or forfeitures, shall elect and choose by ballot, six directors out of their own number, to serve for the year ensuing their election, and until others shall be elected and consent to serve in their place.

Annual meeting
to be held.

May choose
Directors.

Sec. 6. *And be it further enacted*, That the directors shall cause the treasurer, secretary and librarian, to keep in suitable books for that purpose, just, and proper

Accounts
how kept.

entries of all the proceedings and accounts of the company and corporation, and have them laid before the company at every annual meeting, previous to taking the votes for directors; and shall always deliver the said books, together with all the property of the company, in good order to their successors in office, whenever required.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

January 31, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XI.

AN ACT making appropriations for the support of the military establishment of the United States, in the year one thousand eight hundred and four.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and four, for the Indian department, and for the ex-

pense of fortifications, arsenals, magazines and armories, the following sums be, and the same hereby are respectively appropriated, that is to say:

For the pay of the army of the United States, three hundred and one thousand, four hundred and seventy six dollars:

For forage, four thousand and fifty six dollars:

For the subsistence of the officers of the army and corps of engineers, twenty eight thousand and eighty two dollars, and eighty three cents, and one half of a cent:

For the subsistence of non commissioned officers, musicians and privates, one hundred and sixty three thousand, eight hundred and thirty nine dollars, and thirty seven cents and one half of a cent:

For clothing, eighty thousand dollars:

For bounties and premiums, fourteen thousand dollars:

For the medical and hospital department, ten thousand dollars:

For camp equipage, fuel, tools, expense of transportation and other contingent expenses of the war department, seventy one thousand dollars:

For fortifications, arsenals, magazines, and armories, one hundred and nine thousand, eight hundred and ninety six dollars, and eighty eight cents:

For purchasing maps, plans, books, and instruments for the war department and military academy, one thousand dollars:

For the Indian department, seventy five thousand five hundred dollars.

Sect. 2. *And be it further enacted*, That the several appropriations, herein before

Military appropriation.

Pay.

Forage.

Subsistence.

Clothing.

Bounties and premiums.

Medical.

Field equipage.

Fortifications and armories.

Maps, &c.

Indian Department.

Funds how
provided.

made, shall be paid and discharged, first, out of any balance remaining unexpended of former appropriations for the support of the military establishment, and secondly, out of any monies in the treasury, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 10, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XII.

AN ACT continuing for a limited time, the salaries of the officers of government therein mentioned.

Salaries of
Civil List.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the last day of December, one thousand eight hundred and three, the following annual compensations, and no other, be, and they are hereby granted to the officers hereinafter enumerated, respectively, that is to say:

To the secretary of state, five thousand dollars:

The secretary of the treasury, five thousand dollars :

The secretary of war, four thousand five hundred dollars :

The secretary of the navy, four thousand five hundred dollars :

The attorney general, three thousand dollars :

The comptroller of the treasury, three thousand five hundred dollars :

The treasurer, three thousand dollars :

The auditor of the treasury, three thousand dollars :

The register of the treasury, two thousand four hundred dollars :

The accountant of the war department, two thousand dollars :

The accountant of the navy department, two thousand dollars :

The post master general, three thousand dollars ; and

The assistant post master general, one thousand seven hundred dollars ; which sums shall be respectively paid quarterly, at the treasury of the United States.

Sec. 2. *And be it further enacted*, That this act shall continue in force for three years, and from thence until the end of the next session of Congress thereafter, and no longer.

Limited to
three years.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 20, 1804.

APPROVED,

TH: JEFFERSON.

D

CHAPTER XIII.

AN ACT for laying and collecting duties on imports and tonnage within the territories ceded to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic; and for other purposes.

Duties on imports and tonnage in Louisiana.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the same duties which by law now are, or hereafter may be laid on goods, wares, and merchandise imported into the United States, on the tonnage of vessels, and on the passports and clearances of vessels, shall be laid and collected on goods wares and merchandise imported into the territories ceded to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic; and on vessels arriving in, or departing from the said territories: and the following acts, that is to say, the act, entitled,

What laws shall be in force there.

“An act to establish the treasury department.”

“An act concerning the registering and recording of ships and vessels.”

“An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries.”

“An act to regulate the collection of duties on imports and tonnage.”

“An act to establish the compensations of officers employed in the collection of the duties on imports and tonnage and for other purposes.”

“An act for the more effectual recovery of debts due from individuals to the United States.”

“And an act to provide more effectually for the settlement of accounts between the United States and receivers of public money.”

“An act to authorise the sale and conveyance of lands in certain cases, by the marshals of the United States, and to confirm former sales ;” and

“An act to provide for mitigating or remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned.”

“An act to establish a mint and to regulate the coins of the United States.”

“An act regulating foreign coins; and for other purposes,”

And the act supplementary to, and amendatory of the two last mentioned acts, or so much of the said acts as is now in force, and also so much of any other act or acts of the United States as is now in force, or may be hereafter enacted, for laying any duties on imports, tonnage, seamen or shipping, for regulating and securing the collection of the same, and for regulating the compensations of the officers employed in the collection of the same ; for granting and regulating drawbacks, bounties and allowances in lieu of drawbacks; concerning the registering, recording, enrolling and licensing of ships and vessels; to provide for the settle-

Vessels of
that territory
entitled to
same benefit
as of U. S.

But shall re-
gister and
take oath of
allegiance.

Other acts
extended to
Louisiana.

ment of accounts between the United States and individuals ; for the recovery of debts due to the United States ; and for remitting forfeitures, penalties and disabilities, shall extend to, and have full force and effect in the above mentioned territories : *Provided however, and it is hereby further enacted,* That ships or vessels, which on the twentieth day of December last, were owned by persons then residing in the above mentioned territories, and who, either were citizens of the United States, or had resided in the said territories, during five years next preceding, shall be entitled to the benefits and privileges of ships or vessels of the United States, whilst they shall continue to be wholly owned by such persons, or by citizens of the United States ; *Provided nevertheless,* That the persons claiming such privileges for their ships or vessels, shall in every other respect, comply with the provisions of the acts for registering, recording enrolling and licensing of ships or vessels, and who, if not citizens of the United States, shall have previously taken an oath of allegiance to the United States, which oath the collector of the port is hereby authorised to administer.

Sec. 2. *And be it further enacted,* That so much of any act or acts of the United States, now in force, or which may be hereafter enacted, concerning the bank of the United States, and for the punishment of frauds committed on the same ; for the relief of sick and disabled seamen ; for the protection of American seamen ; for the government and regulation of seamen in the merchant service ; and for preventing the

exportation of goods not duly inspected ; shall extend to and have full force and effect in the above mentioned territories.

Sec. 3. *And be it further enacted*, That so much of any law or laws, laying any duties on the importation into the United States of goods, wares and merchandise from the said territories (or allowing drawbacks on the importation of the same from the United States to the said territories) or respecting the commercial intercourse between the United States and the said territories, or between the several parts of the United States through the said territories, which is inconsistent with the provisions of the preceding section, be, and the same hereby is repealed ; and all duties on the exportation of goods, wares and merchandise from the said territories, as well as all duties on the importation of goods, wares, and merchandise into the said territories, on the transfer of ships or vessels, and on the tonnage of vessels, other than those laid by virtue of the laws of the United States, shall, from the time when this act shall commence to be in force, cease and determine : *Provided however*, That nothing herein contained shall be construed to affect, the fees and other charges usually paid in the said territories on account of pilotage, wharfage, or the right of anchoring by the levy of the city of New Orleans, which several fees and charges shall, until otherwise directed, continue to be paid and applied to the same purposes as heretofore.

Commercial
regulations.

Sec. 4. *And be it further enacted*, That, to the end that the laws providing for the collection of the duties imposed, by law, on

goods, wares, and merchandise, imported into the United States, and on the tonnage of ships and vessels, and the laws respecting the revenue and navigation of the United States may be carried into effect, within the said territories, the territories ceded to the United States, by the treaty above mentioned, and also all the navigable waters, rivers, creeks, bays, and inlets, lying within the United States, which empty into the Gulf of Mexico, east of the river Mississippi, shall be annexed to the Mississippi district, and shall, together with the same, constitute one district, to be called the "District of Mississippi." The city of New Orleans shall be the sole port of entry in the said district, and the town of Bayou St. John shall be a port of delivery, a collector, naval officer, and surveyor shall be appointed to reside at New Orleans, and a surveyor shall be appointed to reside at the port of Bayou St. John; and the President of the United States is hereby authorised to appoint, not exceeding three surveyors, to reside at such other places, within the said district, as he shall deem expedient, and to constitute each, or either of such places ports of delivery only. And so much of any law or laws, as establishes a district on the river Mississippi, south of the river Tennessee, is hereby repealed, except as to the recovery and receipt of such duties on goods, wares, and merchandise, and on the tonnage of ships or vessels, as shall have accrued, and as to the recovery and distribution of fines, penalties, and forfeitures, which shall have been incurred before the commencement of the operation of this act.

District of
Mississippi.

Officers to be
appointed by
President of
U. States.

Sec. 5. *And be it further enacted*, That the shores and waters of the town of Natchez, shall be one district to be called the district of Natchez, and a collector shall be appointed who shall reside at Natchez, which shall be the only port of entry or delivery within the said district, of any goods, wares, and merchandise, not the growth or manufacture of the United States : *Provided nevertheless*, That it shall be the duty of every master or commander of any ship or vessel destined for the said port of Natchez, to stop at New Orleans, and there deliver to the collector of said port a manifest of the cargo on board such ship or vessel agreeably to law, on penalty of five thousand dollars. And it shall be the duty of said collector to transmit a certified copy of such manifest to the collector of the said port of Natchez, and to direct an inspector to go on board such ship or vessel, and proceed therewith to the port of Natchez, and there report such ship or vessel to the collector of said port of Natchez, immediately after his arrival, when the duty of said inspector shall cease.

District of
Natchez—
officer there.

Ships to stop
at New Or-
leans.

Sec. 6. *And be it further enacted*, That foreign ships or vessels shall be admitted to unlade at the port of New Orleans and at no other port within the district of Mississippi ; and ships or vessels belonging to citizens of the United States coming directly from France or Spain or any of their colonies, shall not be admitted to unlade at any port within the district of Mississippi other than New Orleans : and ships or vessels arriving from the Cape of Good Hope, or from any place beyond the same shall be

Foreign ves-
sels to unlade
only at New
Orleans.

Drawbacks
at N. Orleans
how regulat-
ed.

admitted to make entry at the port of New Orleans and at no other port within the district of Mississippi: *Provided however,* That nothing in this act contained, shall authorise the allowing of drawbacks on the exportation of any goods, wares and merchandise from the said port of New Orleans, other than on those which shall have been imported directly into the same, from a foreign port or place.

Ships bound
for other
ports must
stop at New
Orleans, and
make entry.

Sec. 7. *And be it further enacted,* That the master or commander of every ship or vessel, bound to a port of delivery only, other than the port of Bayou St. John, in the district of Mississippi, shall first come to at the port of New Orleans with his ship or vessel, and there make report and entry, in writing, and pay, or secure to be paid, all legal duties, port fees, and charges, in manner provided by law, before such ship or vessel shall proceed to her port of delivery; and any ship or vessel, bound to the port of Bayou St. John, may first proceed to the said port, and afterwards make report and entry at the port of New Orleans, within the time by law limited; and the master of every ship or vessel, arriving from a foreign port or place, or having goods on board of which the duties have not been paid or secured, and bound to any port within the district of Mississippi, (other than New Orleans, or Bayou St. John) shall take an inspector on board, at New Orleans, before proceeding to such port; and if any master of a ship or vessel, shall proceed to such port of delivery, contrary to the directions aforesaid, he shall forfeit and pay five hundred dollars, to be recover-

Under a pe-
nalty of 500
dollars.

ed in any court of competent jurisdiction, with the costs of suit.

Sec. 8. *And be it further enacted*, That during the term of twelve years, to commence three months after the exchange of the ratifications of the above mentioned treaty shall have been notified, at Paris, to the French government, French ships, or vessels, coming directly from France, or any of her colonies, laden only with the produce or manufactures of France, or any of her said colonies; and Spanish ships or vessels, coming directly from Spain, or any of her colonies, laden only with the produce or manufactures of Spain, or any of her said colonies, shall be admitted into the port of New Orleans, and into all other ports of entry which may hereafter be established by law, within the territories ceded to the United States by the above mentioned treaty, in the same manner as ships or vessels of the United States, coming directly from France or Spain, or any of their colonies, and without being subject to any other, or higher duty on the said produce or manufacture, than by law now is, or shall, at the time, be payable, by citizens of the United States on similar articles, imported from France or Spain, or any of their colonies, in vessels of the United States, into the said port of New Orleans, or other ports of entry in the territories above mentioned; or to any other, or higher tonnage duty, than by law now is, or shall at the time be, laid on the tonnage of vessels of the United States coming from France, or Spain, or from any of their colonies, to the said port

French and Spanish ships privileged in ports of Louisiana for 12 years.

To pay only like duties with ships of U. States.

of New Orleans, or other ports of entry within the territories above mentioned.

Collector to give bond. Sec. 9. *And be it further enacted*, That the collector of the district of Mississippi shall give bond for the true and faithful discharge of his duties, in the sum of fifteen thousand dollars, and shall be allowed in addition to the fees and emoluments of his office, in lieu of all other commissions, one and a half per cent. on all monies by him received, on account of the duties arising from goods, wares and merchandise imported into the said district, and on the tonnage of ships and vessels ; and the naval officers and surveyors of the said district shall, respectively, receive an annual compensation of two hundred and fifty dollars, in addition to their other fees and emoluments.

Emoluments.

Naval officer and Surveyor's compensation.

Additional revenue cutter to be built. Sec. 10. *And be it further enacted*, That the President of the United States be, and he hereby is, authorised, to cause to be built and equipped, one revenue cutter in addition to those heretofore authorised by law, which cutter may be officered, manned and employed, in the same manner, and the expense thereof shall be paid out of the same fund, as is provided for defraying the expense of the revenue cutters heretofore authorised by law.

Mobile may made a separate district. Sec. 11. *And be it further enacted*, That the President of the United States be, and he hereby is, authorised, whenever he shall deem it expedient, to erect the shores, waters and inlets of the bay and river Mobile, and of the other rivers, creeks, inlets, and bays emptying into the gulf of Mexico, east of the said river Mobile, and west thereof to the Pascaguola inclusive, into a

separate district, and to establish such place within the same, as he shall deem expedient, to be the port of entry and delivery for such district; and to designate such other places, within the same district, not exceeding two, to be ports of delivery only. Whenever such separate district shall be erected, a collector shall be appointed, to reside at the port of entry; and a surveyor shall likewise be appointed, to reside at each of the ports of delivery which may be established. And such collector and surveyor shall be entitled to receive, in addition to their other fees and emoluments, an annual salary of two hundred and fifty dollars. And the said collector shall give bond for the faithful discharge of the duties of his office in the sum of five thousand dollars.

Two ports of delivery in Mobile.

Officers may be appointed.

Sec. 12. *And be it further enacted*, That this act shall commence thirty days after the passing thereof,

Act in force
24th March,
1804.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 24, 1804.

· APPROVED,

TH : JEFFERSON.

CHAPTER XIV.

AN ACT supplementary to an act, intituled, "An act to incorporate the inhabitants of the city of Washington, in the district of Columbia."

Period of incorporation of Washington, enlarged to 15 years.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, intituled, "An act to incorporate the inhabitants of the city of Washington, in the district of Columbia, except so much of the same as is inconsistent with the provisions of this act, be and the same is hereby continued in force for and during the term of fifteen years from the end of the next session of Congress.

City councils, of what numbers they are to consist and how to be elected.

Sec. 2. *And be it further enacted*, That the council of the city of Washington, from and after the period for which the members of the present council have been elected, shall consist of two chambers, each of which shall be composed of nine members, to be chosen by distinct ballots, according to the directions of the act to which this is a supplement; a majority of each chamber shall constitute a quorum to do business: in case vacancies shall occur in the council, the chamber in which the same may happen, shall supply the same by an election, by ballot, from the three persons next highest on the list, to those elected at the preceding election; and a majority of the whole number of the chamber in which such vacancy may happen, shall be necessary to make an election.

Sec. 3. *And be it further enacted*, That the council shall have power to establish and regulate the inspection of flour, tobacco, and salted provisions, the gauging of casks and liquors, the storage of gun powder, and all naval and military stores, not the property of the United States, to regulate the weight and quality of bread; to tax and license hawkers and pedlars, to restrain or prohibit tipling houses, lotteries, and all kinds of gaming; to superintend the health of the city, to preserve the navigation of the Potomac and Anacosta rivers, adjoining the city; to erect, repair, and regulate public wharves, and to deepen docks and basons; to provide for the establishment and superintendence of public schools; to license and regulate, exclusively, hackney coaches, ordinary keepers, retailers and ferries; to provide for the appointment of inspectors, constables and such other officers as may be necessary to execute the laws of the corporation; and to give such compensation to the mayor of the city as they may deem fit.

Powers of
the councils
enlarged.

Sec. 4. *And be it further enacted*, That the levy court of the county of Washington shall not hereafter possess the power of imposing any tax on the inhabitants of the city of Washington.

Power of
levy court a-
bolished.

NATH^L. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore

February 24, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XV.

AN ACT to amend the charter of Alexandria.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the town of Alexandria shall be, and is hereby divided into two districts, by a line running east and west, at an equal distance between King and Prince streets, beginning at the river Potowmac and extending to the western boundary of said town; and all that part of the town which is situate north of the said dividing line, shall be called the northern district, and all that part of the town, which is situate south of the said dividing line, shall be called the southern district of the town of Alexandria; and where any house or lot shall be situate partly in each district, it shall be considered as lying in that district where the greater part of said house or lot is situate, and shall be assessed accordingly; each of the districts aforesaid shall be divided into two electoral wards, by a line passing from north to south through the middle of Pitt street, to be called the first, second, third and fourth ward; none of the taxes on the valuation of real property, which shall hereafter be collected in the northern district, shall be expended in the regulating, or filling up, or paving, or repairing of the streets, or sinking of wells, or building of bridges in the southern district; nor shall the taxes on the valuation of real property, which shall

Charter of
Alexandria
altered.
Town divided into
wards.

How taxes
are to be ap-
plied.

hereafter be collected in the southern district, be expended in the regulating, or filling up, or paving, or repairing the streets, or sinking of wells, or building of bridges in the northern district: But all the monies to be expended upon the aforesaid improvements in either district, shall be raised by an assessment on the valuation of real property in each district respectively, at the times and in the manner the said common council shall order and direct. It shall be the duty of the assessors and other public officers to keep the accompts of each district separate and distinct in regard to the assessments for the aforesaid local purposes, and all other taxes, which are now or shall hereafter be assessed or levied, upon the valuation of real property or other subjects, together with the fines and also the rents issuing from the property belonging to the corporation and all their other resources, shall constitute a general fund, to be appropriated as the common council shall direct.

How taxes
to be raised.

Sec. 2. *Be it further enacted*, That every free white male citizen of full age, who shall be bona fide seized of a freehold estate in the town of Alexandria, or who shall have resided in the town aforesaid for the space of one year, and have been a house-keeper therein for the space of three months next preceding the day of the election, and who shall have been within that time charged with any tax upon the public books, and shall have paid such tax, shall be qualified to vote for members to serve in the common council of the said town, and no other person shall exercise the right of suf-

Who shall
vote.

Who shall
not vote.

Election to be
held first
Tuesday in
March annu-
ally.

frage ; and the persons qualified, as aforesaid, to vote, shall meet at some convenient place in the ward in which they respectively reside, and elect by ballot four persons for the representatives of such ward in the common council, out of the free white male citizens who shall have arrived to the age of twenty one years, and shall have resided in the town of Alexandria three years, and in the ward for which he shall be elected, for the space of three months immediately preceding the election, and shall moreover be seized of an estate of freehold in the said ward, and be a housekeeper therein. And that the said election shall be held on the first Tuesday of March, in every year, by three commissioners to be appointed in each ward for that purpose by the mayor and commonalty for the ensuing election, and afterwards by the common council, which appointment shall be at least ten days before the day of each election, except in regard to the first election to be held under this act. The election for the ensuing year, shall be held at such place, in each ward, as shall be fixed on by the mayor and commonalty, and thereafter shall be held at such place as shall be appointed by the common council, of which public notice shall be given.

Meeting of
councils fixed

Sec. 3. *Be it further enacted*, That the members of the common council, elected as aforesaid, or any twelve of them, shall within seven days after their election in each year, assemble themselves at the court house, or any other place which shall be hereafter fixed for their meeting, and shall

choose one of their body to be president of the said common council, to whom shall be administered by any justice of the peace in the county of Alexandria, an oath or affirmation for the faithful discharge of the duties of his office; whereupon the president of the said common council shall administer the oath of office to the other members of the said council, and shall have, while the council is in session, the same power which is at present exercised by the mayor, upon the like occasion; and he shall convene the council whenever in the opinion of four of the members expressed to him in writing, or whenever in his opinion the good of the town may require it: and the authority of the said common council shall continue one year from the day of their election, and until others are chosen and qualified in their stead, and no longer. That the common council so elected, and those thereafter to be elected, and their successors, shall be and hereby are made a body politic and corporate, by the name of the common council of Alexandria; and by the said name shall have perpetual succession with capacity to purchase, possess and enjoy lands and tenements, and goods and chattels, either in fee or lesser estate therein, and the same to give, grant, let, sell, assign or transfer; and to plead and be impleaded, prosecute and defend all causes, complaints, actions real, personal or mixed, and to have one common seal, and perpetual succession. And all the estate, rights, and credits, now vested in the mayor and commonalty of the town of Alexandria, shall be vested in the said common council, when elected, and may be recovered in their name for the use of the said town, and in

Common council to choose a president from its own body.

His powers and duty.

The length of time limited for the authority of the council.

The Common Council created a Body Politic, &c.

Its powers and authorities.

All the estate, rights and credits of the mayor and commonalty vested in the Common Council.

like manner all claims and demands against the mayor and commonalty of Alexandria, prior to the operation of the present act, may be prosecuted and recovered against the aforesaid common council; and process served upon the president of the common council, shall be deemed sufficient.

Extent of the
Common
Council's ju-
risdiction.

Sec. 4. *Be it further enacted*, That the jurisdiction of the said common council shall extend to the limits heretofore prescribed by law, and exercised by the mayor and commonalty.—The concurrence of a majority of the whole number of members elected into the common council, shall be necessary for the passing of any law, order, or resolution, or for repealing, altering, or revoking the same.

The concu-
rence of a
majority of
all the mem-
bers necessa-
ry to the pas-
sing of a law,
&c. &c.

Sec. 5. *Be it further enacted*, That the said common council shall have power to erect and repair work houses, houses of correction, and other public buildings, for the benefit of the said town; to pave, make and repair the streets and highways; to make all laws which they shall conceive requisite for the preservation of the health of the inhabitants, and for the regulation of the morals and police of the said town; and to enforce the observance of their said laws, by reasonable penalties and forfeitures, to be levied upon the goods and chattels of the offender; and they shall have power to raise money by taxes, for the use and benefit of the said town: *Pro-
vided*, That such laws shall not be repugnant to, or inconsistent with the laws and constitution of the United States. The said common council shall, whenever they deem it proper, have power to open, extend, regulate, pave, and improve the streets, within the limits of the said town: *Provided*, They make

Powers of the
Council de-
fined.

Proviso.

Proviso.

to the person or persons who may be injured by such extension, just and adequate compensation out of the funds of the corporation, to be ascertained by the verdict of an impartial jury, in like manner as has been usual in other cases, where private property has been condemned for public use. They shall have power to hold and keep within the said town, market days in every week, and from time to time, to appoint a clerk of the market, who shall do and perform all things belonging to the office of clerk of the market within the said town, according to the rules and regulations which they shall prescribe. They shall have power to pass all laws not inconsistent with the laws of the United States, which they may conceive requisite for the prevention and removal of nuisances, and to appoint a superintendant of police, commissioners, and surveyors of the streets, constables, collectors of the taxes, and all other officers who may be deemed necessary for the execution of their laws, who shall be paid for their services, a reasonable compensation, and whose duties and powers shall be prescribed in such manner as the common council shall deem fit for carrying into execution the powers hereby granted.

Powers continued.

Sec. 6. *Be it further enacted*, That the jurisdiction of the said common council shall extend over the harbour of Alexandria, and over vessels of every description which may arrive and be in the harbor, or be at anchor in any part of the river Potomac below Pearson's island, and within the district of Columbia, for the purpose of preventing and removing all nuisances, and such other subjects or things being on board any such vessel, as may

Further definition of its powers.

be prejudicial to the health of the town, and for no other purpose. And also, their jurisdiction shall extend over the house lately built in the vicinity of the town for the accommodation of the poor and others, and over the ten acres of ground thereto belonging, and over all persons who may be sent or placed there by the consent or authority of the common council, and on their way to and from the same, until they be regularly discharged: *Provided*, That paupers and other persons shall not be considered as having thereby gained a residence in the county, so as to become chargeable thereto.

A mayor to be annually chosen by a vote of the Common Council.

The President of the Council to decide the election in case the Council is equally divided.

The time for which the mayor shall hold his office.

To take an oath of office.

His powers and duties :

Sec. 7. *Be it further enacted*, That the common council shall, annually, at their first meeting after their own election and qualification, choose by ballot, a fit and able man having the qualifications herein after directed, to be mayor of the town, which choice shall be made by a majority of the whole number of members of the said common council, unless the whole number of members be equally divided between two persons, in which case one of those two persons shall be immediately, by the vote of the president of the council, elected. The mayor shall hold his office for one year, from the time of his election, and until a successor is chosen and qualified in his stead. At the expiration of which period he may be re-elected for two years thereafter in succession, and no longer until he shall have been out of office for one year. He shall, before he enters upon the duties of his office, take an oath or affirmation, in the presence of the council, faithfully to execute his said office, which shall be recorded in their book of proceedings. He shall see that the

laws of the corporation be duly executed, and shall report the negligence or misconduct of any officer to the common council, who on satisfactory proof thereof, may remove from office the said delinquent, or take such other measures thereupon, as shall be just and lawful. He shall have power to convene the common council when, in his opinion, the good of the community may require it, and he shall lay before the council, from time to time, in writing, such alterations in the laws of the corporation, as he shall deem necessary or proper. He shall have and exercise all the powers of a justice of the peace within the said town, and shall receive for his services, annually, a just and reasonable compensation, to be allowed and fixed by the common council, which shall not be increased or diminished during the period for which he shall have been elected. Any person shall be eligible to the office of mayor, who is a white male citizen of the United States, who shall have attained to the age of thirty years, and who shall be the bona fide owner of a freehold estate in the said town, and shall have been a resident in the town of Alexandria five years immediately preceding his election, and no other person shall be eligible to the said office.

Sec. 8. *Be it further enacted,* That in case of the refusal of any person to accept the office of mayor upon his election thereto, or of his death, resignation, inability or removal, the common council shall elect another in his place to serve the remainder of the year. The common council shall have power to supply vacancies in their own body, by causing elections to be made in manner herein before directed, out of the citizens qualified to fill the

To receive a compensation for his services.

His qualifications:

Provision in case of the refusal &c. &c. of the mayor to serve.

Common council to have vacancies in their own body supplied, & how.

In the temporary absence &c. &c. of the mayor, the president of the council to supply his place.

said office in the ward in which such vacancies shall have happened; and may, in the absence of the president, elect a president pro tempore. In case of the temporary inability or absence of the mayor, the president of the common council shall perform all the duties of the mayor, that may be required to be performed during his absence or inability, and in case of vacancy in the said office he shall perform the duties thereof, until a new election shall be made.

Mayor to sign the bills of which he approves, or to return those to the Council of which he does not approve, with his objections in writing.

Sec. 9. *And be it further enacted*, That the acts of the common council shall be signed by the president of the common council, and shall be presented to the mayor for his approbation, who, if he objects thereto, shall within three days after it shall be presented to him for his assent, return it to the common council with his objections in writing, and if a majority of the whole council shall be of opinion that the law ought to be passed, it shall, notwithstanding the objections of the mayor, become a law, and he shall sign the same; but if the mayor shall not return his objections to the same, within three days, to the said council, it shall become a law, and shall be signed by him. The clerk of the council shall record in a book to be kept by him for that purpose, all the laws, orders and resolutions which shall be passed, as aforesaid, and deliver a copy of them to the public printer, to be printed for the information of the people.

Copies of the acts of the council to be printed.

Oath of the commissioners for holding the elections prescribed.

Sec. 10. *Be it further enacted*, That the commissioners to superintend the election in each ward, shall before they receive any vote, take, severally, the following oath or affirmation, to be administered by the mayor, or any jus-

tice of the peace, " I A. B. do solemnly swear, or affirm, (as the case may be) that I will truly and faithfully receive and return the votes of such persons as are by law entitled to vote for members of council in ward No.

and that I will not knowingly receive or return the vote of any who is not legally entitled to the same, so help me God ;" the said election shall be closed on the day it is begun, and the pole shall be kept open until sun set and no longer. The said commissioners in each ward, or a majority of them shall, on the next day after the election, make a list of all the votes received at said election; and the four persons having the greatest number of votes, shall be duly elected; and in all cases of an equality of votes, the commissioners shall decide, and shall make a return of the persons so elected, under their hands and seals, to the mayor, who shall cause the same to be published in the newspapers of the town; the said commissioners shall also send a duplicate return, under their hands and seals, of the persons elected, to the clerk of the common council, who shall preserve and record the same; the said common council shall judge of the legality of the election of any person who shall be returned as a member thereof, and shall have full power to pass all laws to enable them to come to a just decision upon a contested election: They shall have power to compel the attendance of the members of the council by reasonable penalties, and to pass all laws for the orderly and regular conduct of business: They may punish any member for disorderly behavior, and with consent of three fourths of the whole council, expel a member.

Duties and powers of the commissioners.

Common council to judge of the legality of elections.

May make laws and rules for its own order and government.

How the taxes of absentees shall be collected.

Proviso.

Proviso.

Interfering acts of the Virginia assembly repealed.

Sec. 11. *Be it further enacted,* That whenever taxes upon real property, or other claims charged upon real property within the town, shall be due, and owing to the common council, and the proprietor shall fail to discharge the same, the said common council, after giving the party reasonable notice, when he resides in the town, sixty days notice, when he resides out of the town, and in the United States, and after six months publication in the newspapers, when he resides out of the United States, shall be empowered to recover the said taxes or debts, by motion in the court of Alexandria county: *And provided,* it shall appear to the satisfaction of the court that such taxes or claims are justly due, judgment shall be granted, and an execution shall issue thereupon, with the costs of suit, against the goods and chattels of the defaulter, if any can be found within the town; if not, that the whole property upon which the tax or claim is due, shall by order of the court, be leased out at public auction for the shortest term of years that may be offered, on condition that the lessee pay the arrearages, and also the future taxes accruing during the term, and be at liberty to remove all his improvements at the expiration of the lease: *Provided always,* That the common council may prosecute any other remedy, by action, for the recovery of the said taxes and claims which is now possessed or allowed.

Sec. 12. *And be it further enacted,* That so much of any act or acts of the general assembly of Virginia, as comes within the perview of this act, shall be, and the same is hereby repealed: *Provided,* That nothing herein

contained shall be construed to impair or destroy any right or remedy which the mayor and commonalty of Alexandria now possess or enjoy to or concerning any debts, claims or demands against any person or persons whatsoever; or to repeal any of the laws and ordinances of the mayor and commonalty of the said town now in force, which are not inconsistent with this act.

NATHL. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 25, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XVI.

An ACT for the relief of Samuel Corp.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collector of the customs for the port of New-York be, and hereby is directed to allow to Samuel Corp, of New-York, merchant, the drawback of duties by him paid on merchandise, which arrived at New-York, in the ship Chesapeak, Andrew Tombs, master, and without being there landed, were thence exported in the same ship, for New-Orleans, in the month of August, one thousand seven hundred and ninety-nine, according to the tenor of two certificates issued by the collector for said port, and made payable respectively, on the twenty-third day of June, and on

Drawbacks of duties on goods exported from New-York to Orleans, to be paid by the collector of New-York to him.

Provido.

the twenty-third day of August, in the year one thousand eight hundred : *Provided*, That due proof of the landing of said merchandise at New-Orleans, shall have been exhibited at the office of said collector, as is by law required in other cases of exportation : *And provided also*, That it shall appear to the satisfaction of the collector that the master, or other person having the charge or command of the said ship, had at the time of making report of the arrival of the same at the port of New-York, reported the merchandise brought in her, and which was afterwards exported, as above mentioned, to New-Orleans, to be destined for the said port of New-Orleans, in conformity with the provisions, which were by law in force, previous to the thirtieth day of June, one thousand seven hundred and ninety-nine.

NATHL. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 25, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER XVII.

An ACT relating to the recording, registering and enrolling of ships or vessels in the district of Orleans.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any ship or vessel possessed of and sailing under

a Spanish or French register, and belonging, on the twentieth day of December, one thousand eight hundred and three, and continuing to belong wholly to any citizen or citizens of the United States, then residing within the territories ceded to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French republic, or to any person or persons being, on the said thirtieth day of April, an inhabitant or inhabitants of the said ceded territories, and who continue to reside therein, and of which the master is a citizen of the United States, or an inhabitant as aforesaid, may be registered, enrolled and licensed in the manner prescribed by law; and being so registered, enrolled or licensed, shall be denominated and deemed a ship or vessel of the United States, and entitled to the benefits granted by any law of the United States to ships or vessels thereof: *Provided*, That it shall be lawful for the collector to whom application shall be made for a certificate of registry, enrollment or license for such ship or vessel by any citizen or inhabitant as aforesaid, to make such variations in the forms of the oaths, certificates, and licenses, as shall render them applicable to the cases herein intended to be provided for: And provided also, that every such inhabitant applying as aforesaid, shall, prior to his being entitled to receive such certificate of registry, enrollment, or license, deposit with the collector, the register and other papers under which such ship or vessel had been navigated; and also take and subscribe, before the collector (who is hereby authorised to administer the same) the following oath: I, A. B. do swear {or

Vessels belonging to citizens of the United States, residing therein, or to persons inhabiting the territory ceded to the United States by France, entitled to the benefits of vessels of the United States.

Provido.

affirm) that I will be faithful and bear true allegiance to the United States of America, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the king of Spain and the French republic.

Inhabitants of the ceded territory residents thereof the thirtieth April, one thousand eight hundred and three, entitled, on certain conditions, to all the privileges, &c. of owning ships, &c. of the United States.

Sec. 2. *And be it further enacted*, That the inhabitants of the said ceded territory who were residents thereof on the thirtieth day of April, one thousand eight hundred and three, who shall take the oath aforesaid, and who continue to reside therein, or citizens of the United States residents of said ceded territory, shall be entitled to all the benefits and privileges of owning ships or vessels of the United States, to all intents and purposes, as if they were resident citizens of the United States.

NATHL. MACON,

Speaker of the House of Representatives.

JOHN BROWN,

President of the Senate, pro tempore.

February 25, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XVIII.

An ACT for the relief of certain military pensioners in the state of South-Carolina.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the persons to whom military pensions have been heretofore granted and paid by the state of

South-Carolina, in pursuance of the resolves of the United States, in congress assembled, for the payment of pensions to the invalids who were wounded and disabled during the late war with Great-Britain, and who have not been placed on the books, in the office of the Secretary for the department of War, shall be, and the same hereby are directed to be placed on said books, and their said pensions shall be hereafter paid by the United States, in the same manner as to other pensioners of the United States, out of the funds already appropriated for that purpose.

Sec. 2. *And be it further enacted,* That in placing the names of pensioners on the books, pursuant to the directions contained in the foregoing section, the Secretary of War shall be guided by a certificate from the state of South-Carolina, when the same shall be delivered to him, under the proper authentications, which certificate shall specify the names of pensioners and sums of pension; and likewise, that they have not been paid since March the fourth, one thousand seven hundred and eighty-nine, by said state; which certificate shall be recorded in the books of the department of War, and the original kept on file. And each officer, non-commissioned officer, and soldier, whose name shall be placed on the said list as a pensioner, in conformity to the provisions of this act, or in case of the death of any such officer, non-commissioned officer, or soldier, his heirs or legal representatives shall receive a sum equal to the arrears of his pension, which shall have accrued from and after the fourth day of March, one thousand seven hundred and eighty-nine, until the passage of this act, or until the death

Certain military pensioners of South-Carolina to be placed on the books of the war office, and paid as other pensioners.

A certificate from the state of South-Carolina required for entitling any person to the benefit of this act: Certificate to be recorded at the war office.

The amount payable to the several claimants, and the principles of settlement.

Proviso.

of such pensioner, as aforesaid, as the case may be; which arrearages shall be ascertained and certified by the register of the Treasury in the same manner, and under the same restrictions as are contained in the act passed the eleventh day of August, one thousand seven hundred and ninety, intituled "An act for the relief of the persons therein mentioned or described:" Provided, That the commutation of half pay which may have been received by any commissioned officer entitled to a pension, as aforesaid, shall first be returned by such officer into the treasury of the United States, or shall be deducted from the arrears of pension directed to be paid by this act.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 3, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XIX.

An ACT to allow drawbacks of duties, on goods, wares and merchandise transported by land, in the cases therein mentioned.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That all goods, wares and merchandise duly imported into either of the districts of Boston and

Charlestown, Salem and Beverly, Newburyport, Ipswich or Marblehead, in the state of Massachusetts, which shall be transported by inland conveyance along the turnpike or other main road into another of the said districts, and be therefrom exported to any foreign port or place, shall be entitled to the benefit of a drawback of the duties upon such exportation, under the same provisions, regulations, restrictions and limitations, as if the goods, wares and merchandise were transported coastwise from one to another of the said districts, and also upon the conditions specified in the seventy-ninth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage."

Goods imported into certain ports and transported by inland conveyance to others, and thence exported entitled to drawbacks.

Sec. 2. *And be it further enacted*, That all goods, wares and merchandise duly imported into the district of Delaware, may be transported to the same places, in the same manner, and on the same conditions with goods, wares and merchandise duly imported into the districts of Philadelphia, New-York or Baltimore; and shall, in like manner be entitled to the benefit of a drawback of the duties thereon, upon exportation to any foreign port or place, agreeably to the provisions contained in the seventy-ninth section of an act, entitled "An act to regulate the collection of duties on imports and tonnage:" and that all goods, wares and merchandise, which being duly imported into the districts of Philadelphia, New-York or Baltimore, shall be exported from the district of Delaware, shall also be entitled to the benefit of a drawback of the duties on the same, in the same manner, and on the same conditions which are prescribed by the said seventy-ninth section

Goods imported into the district of Delaware entitled to drawbacks as in cases of exportation, from Philadelphia, &c.

of the act aforesaid, for goods, wares and merchandise, which being duly imported into Baltimore or New-York, shall be exported from Philadelphia.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 3, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XX.

*An ACT further to amend the act, intituled
“ An act to lay and collect a direct tax
within the United States.”*

Collectors of
the direct tax
to send trans-
cripts of their
sales of land
for non pay-
ment of tax to
the supervisors
or other offi-
cers acting in
their stead.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the collectors of the direct tax, under whose direction, or by whom any tract of land may have been sold for non-payment of such tax, and where the time limited by law for the redemption of such lands, shall not have expired before the passing of this act, to transmit within three months after the passing of this act, correct transcripts of the lists of all the tracts of land or lots, which have been sold, either in whole or in part, for non-payment of the said tax before the passing of this act, to the supervisor or to the officers to whom the duties of supervisor may have been transferred, or in case there be no such person, to the marshal of the district

within which such lands may lie ; and the said collectors shall likewise transmit to the same officer, within three months after the completion of any sale made subsequent to the passing of this act, similar transcripts of the lists of all the tracts of land or lots which shall, after the passing of this act, be sold, either in whole or in part, for non-payment of the said tax, which several transcripts shall, in every case, specify the tract or lot sold, in whole or in part, the quantity of land which has been sold ; the time when sold ; the amount of tax, charges and costs for which it was sold, and the amount paid by, and the name of the purchaser ; and shall also designate all those tracts or lots which shall have been redeemed by the original proprietors, or for their benefit, in conformity with the provisions for that purpose heretofore enacted : and it shall also be the duty of the said collectors to pay over, within the time aforesaid, to the officer to whom the abovementioned transcripts may have been transmitted, the amount of all the monies paid to them by or for the benefit of any original proprietor of lands or lots sold for non-payment of the tax, and subsequent to such sale redeemed in conformity with law, by or for such proprietor, which shall not at the time of transmitting the said transcripts, have been repaid by such collector to the purchaser of such lands or lots : And any collector failing to comply with the provisions of this section, or with any of them, shall forfeit and pay the sum of one thousand dollars with costs of suit.

And to pay over to the same officers any monies received by them under such sales, and belonging to original proprietors.

SEC. 2. *And be it further enacted*, That if any collector shall fail to transmit the transcripts required by the first section of this act

Provision in case of the Collectors neglect to comply with the first section :

within the time aforesaid, it shall be the duty of the supervisor, officer acting as supervisor, or marshal, as the case may be, of the district within which the collection district of such collector may be, to prepare within six months after the passing of this act, from the lists or such other documents as may be in his possession, a similar transcript of the list of lands which such collector had by virtue of the second section of the act, intituled "An act to amend an act, intituled "An act to lay and collect a direct tax within the United States," been authorised to sell for non-payment of the said tax; which list shall likewise specify in every case, the tract or lot described in the original assessment, and the amount of tax, charges and costs for which it was liable to be sold; and any supervisor, officer acting as supervisor, or marshal as the case may be, failing to comply with the provisions of this section shall forfeit and pay the sum of five hundred dollars with costs of suit.

and penalties upon the officers upon whom the duty devolves in that case for their neglect of it.

Supervisors, &c. to keep open the original assessment books, and to receive, and to pay over to purchasers the amount paid by them for property sold on account of taxes:

SEC. 3. *And be it further enacted*, That it shall be the duty of the supervisors, officers acting as supervisors, or marshals, as the case may be, to exhibit the before mentioned transcripts, whether transmitted by the collector, or prepared by themselves; and also, to keep open the original assessment lists, and whenever required within the time limited by law for the redemption of lands, or lots, thus sold, to any person wishing to ascertain whether any tract of land or lot, has been sold for non-payment of the tax, to receive, within the same period, from any person tendering the same, the amount of the tax, charges and costs for which any such tract of land or lot has been sold, with the interest which shall

have accrued on the same as fixed by law, and execute a receipt for the same; which payment, by whomsoever made, shall always be considered to be made for the benefit of the original proprietor; and to pay over, at any time, within the same period, when applied for, the monies and interest received from, or for any original proprietors, who shall have availed themselves of the right of redeeming their lands, agreeably to law, to the person who may have purchased the tract of land or lot, so redeemed, when the same was sold for non-payment of the tax, or to the representative of such person.

SEC. 4. *And be it further enacted*, That it shall be the duty of the said supervisor, person acting as supervisor, or marshal, as the case may be, to file, at the end of two years after the completion of the sales of lands sold within their district, for non-payment of the direct tax, with the clerk of the district court within whose district such lands may lie, correct transcripts, similar to those prescribed by the first section of this act, of the lands or lots sold in whole, or in part, for non-payment of the direct tax, and which shall not have been redeemed by, or for, the original proprietor within the said two years; and also to pay into the clerk's office of the said court, for the use of the purchaser, or his representatives, any monies remaining in their hands which shall have been paid by such original proprietors, as shall have availed themselves of the right of redemption: And it shall also be the duty of the said supervisors, officers acting as supervisors, or marshals, as the case may be, when any collector shall have failed to transmit to them, or any of them, the tran-

Limitation of time in which proprietors in this way may redeem their land.

Supervisors, &c. to lodge transcripts of lands sold for non payment of tax in the clerk's offices of their districts:

and to pay in to the said offices the money received from the original proprietors, to redeem their lands for the purchasers.

Duty of the supervisors, &c. in case of the failure of the collectors to furnish the transcripts prescribed by the first section.

scripts of the lists of lands sold for non-payment of the tax, as required by the first section of this act, to file with the clerk of the said district court the receipts given by such collector, either for the purchase money of lands or lots, thus sold, to the purchasers or for the redemption of the same, to original proprietors which shall have been delivered by the purchasers, or original proprietors, as the case may be, of lands, or lots, thus sold, to the said supervisors, officers acting as supervisors, or marshals, in the manner, and within the time prescribed by this act.

Marshals in certain cases to execute deeds for lands sold, and not redeemed.

Sec. 5. *And be it further enacted*, That the several marshals, for the time being, of the said district courts shall alone have the authority in all cases where the time limited by law for the redemption of lands sold, shall not have expired before the passing of this act; and they are hereby authorised and required to execute deeds for so much of the said lands and lots as shall have been sold to satisfy the amount of the direct tax, charges and costs due thereon, and which shall not have been redeemed by or for the original proprietor, within the time limited by law, to the purchasers of such lands or lots, or their legal representatives: Provided however, and it is further enacted, That no such deed shall be executed except for lands or lots contained in the transcripts filed with the clerk of the proper district court, in conformity with the preceding section, or unless the purchaser of any tract of land or lot, sold for non-payment of the tax, shall have filed within three months after the passing of this act, or within three months after such sale, with the supervisor, officer acting as supervisor or marshal, as the

Proviso.

case may be, a receipt from the collector for the purchase money, dated within thirty days subsequent to such sale, and specifying distinctly, the original description of the land assessed and the quantity sold : And provided also, That no such deed shall, in any case, be executed for any land purchased by or for a collector of the direct tax, and not contained in the transcript file with the clerk of the district court ; nor for any land, although not returned as redeemed by the collector, which shall appear by a certificate, or receipt of the said collector, filed with the supervisor, or officer acting as supervisor or marshal, as the case may be, before the completion of two years after the sale of such land, and filed by such officer with the clerk of the court, in conformity with the preceding section, to have been redeemed by or for the original proprietor by payment of the tax, charges, costs and interest to the said collector previous to the time limited by the first section of this act, for the transmission of transcripts by the collectors of the direct tax. Proviso.

Sec. 6. *And be it further enacted*, That where any lot or tract of land shall have been sold before the passing of this act, for non-payment of the direct tax, and for a larger sum than the amount of such tax, with the legal charges and costs, the collector of the said tax shall be accountable to the purchaser for the excess of money paid by such purchaser beyond the amount of such tax, charges, and costs : And deeds shall be executed in favor of such purchasers, only for so much of the land as shall bear the same ratio to the whole quantity of land sold, as the amount of the tax, charges and costs bear to the sum for

Collectors to be answerable to purchasers for any excess paid by them over the lands they receive : lands to be conveyed ascertained by the ratio of tax and land sold.

which the land was sold : And whenever a deed shall be executed for a part only of any tract of land, not described previous to the sale, such part shall be laid off at the expense of the purchaser, under the direction of the district court, and in conformity with the instructions given to the collector, by the supervisor, or officer acting as supervisor, respecting the sales of lands sold for non-payment of the direct tax: Provided, That hereafter it shall not be lawful for any collector of the said tax, to sell more of any lot or tract of land than will pay the amount of such tax, with the legal charges and costs.

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Fees for services under this act.

Sec. 7. *And be it further enacted*, That for the services prescribed by this act, the following fees shall be allowed and paid by the parties respectively, that is to say :

To every supervisor for examining the transcripts of land sold, twenty five cents ; for receiving payment of the tax, charges and costs for which any tract of land, or lot, may have been sold in whole, or in part, fifty cents ; and for filing a certificate or receipt of the collector, deposited by the purchaser, or original proprietor, six cents ;

To the marshal of the court, one dollar for preparing and executing a deed.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 3, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXI.

An ACT making appropriations for the support of government, for the year one thousand eight hundred and four.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and officers; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of light-houses, beacons, buoys and public piers; and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are respectively appropriated; that is to say:

For what purposes appropriations made.

For compensations granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, one hundred and ninety eight thousand, nine hundred and sixty five dollars:

For the expense of firewood, stationery, printing, and all other contingent expenses of both Houses, including the expense of printing the President's message of the twenty-third of December, one thousand eight hundred and two, with the accompanying documents, thirty-two thousand, seven hundred dollars:

For the purchase of books for the use of both Houses of Congress, the balance of the former appropriation being carried to the cre-

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priations.

dit of the surplus fund, two thousand seven hundred and three dollars, and five cents :

For furniture for the House of Representatives, being an expense incurred in the year one thousand eight hundred and three, twelve hundred dollars ;

For compensation to the President and Vice-President of the United States, thirty thousand dollars :

For compensation to the secretary of state, clerks and persons employed in that department, eleven thousand, three hundred and sixty dollars :

For the incidental and contingent expenses in the said department, four thousand eight hundred dollars :

For printing and distributing copies of the laws of the first session of the eighth congress, and printing the laws in newspapers, eight thousand, two hundred and fifty dollars :

For compensation to the secretary of the treasury, clerks and persons employed in his office, including those engaged on the business belonging to the late office of the commissioner of the revenue, fourteen thousand and ninety two dollars, and eighty seven cents :

For expenses of translating foreign languages, allowance to the person employed in receiving and transmitting passports and sea-letters, stationery and printing, one thousand dollars :

For compensation to the comptroller of the treasury, clerks and persons employed in his office, twelve thousand, nine hundred and seventy-seven dollars, and eight cents.

For expense of stationery, printing, and incidental and contingent expenses in the comptroller's office, eight hundred dollars :

For defraying the expense of preparing new certificates of registry for ships and vessels, in conformity with the law of the second of March, one thousand eight hundred and three, four thousand five hundred dollars :

Specific appropriations.

For compensation to the auditor of the treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty dollars, and ninety three cents :

For expense of stationery, printing, and incidental and contingent expenses in the office of auditor of the treasury, five hundred dollars :

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty seven dollars, and forty five cents :

For the expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars :

For compensation to the register of the treasury, clerks and persons employed in his office, sixteen thousand and fifty-two dollars :

For expense of stationery and printing, (including books for the public stock and for the arrangement of the marine papers) two thousand eight hundred dollars :

For the expense of printing and transmitting the certificates of the six per cent. stock, created by virtue of the act of the tenth of November, one thousand eight hundred and three, one thousand five hundred dollars :

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars :

For compensation of the clerks employed for the purpose of making drafts of the seve-

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priations.

ral surveys of land in the territory of the United States, north-west of the river Ohio, and in keeping the books of the treasury in relation to the sales of lands at the several land offices, two thousand dollars :

For fuel and other contingent expenses of the treasury department, four thousand dollars :

For defraying the expenses incident to the stating and printing the public accounts for the year, one thousand eight hundred and four, one thousand two hundred dollars :

For purchasing books, maps, and charts, for the use of the treasury department, four hundred dollars :

For compensation to a superintendent employed to secure the buildings and records of the treasury, during the year one thousand eight hundred and four, including the expense of two watchmen, and for the repair of two fire engines, and other incidental expenses, one thousand one hundred dollars :

For compensation to the secretary of war, clerks, and persons employed in his office, eleven thousand, two hundred and fifty dollars :

For the expenses of fuel, stationery, printing, and other contingent expenses of the office of the secretary of war, including certain contingent expenses incurred in the year one thousand eight hundred and one, one thousand one hundred and fifty dollars, and two cents :

For compensation to the accountant of the war department, clerks and persons employed in his office, ten thousand nine hundred and ten dollars :

For contingent expenses in the office of the accountant of the war department, one thousand dollars :

For compensation to clerks employed in the paymaster's office, one thousand eight hundred dollars : Specific appropriation.

For fuel in the said office, ninety dollars :

For compensation to the purveyor of public supplies, clerks and persons employed in his office, including a sum of twelve hundred dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second day of March, one thousand seven hundred and ninety-nine, and for expense of stationery, store rent and fuel for the said office, four thousand eight hundred dollars :

For extra expenses incurred by the removal of the office of purveyor of public supplies from Philadelphia to Germantown, in the year one thousand eight hundred and three, two hundred and three dollars :

For compensation to the secretary of the navy, clerks and persons employed in his office, nine thousand one hundred and ten dollars :

For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of the navy, two thousand dollars :

For compensation to the accountant of the navy, clerks and persons employed in his office, including the sum of one thousand one hundred dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine, ten thousand four hundred and ten dollars :

For contingent expenses in the office of the accountant of the navy, seven hundred and fifty dollars :

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priations.

For compensation to the postmaster general, assistant postmaster general, clerks and persons employed in the postmaster general's office, including a sum of four thousand five hundred and ninety-five dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine, thirteen thousand nine hundred and fifty-five dollars :

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. exclusive of expenses of prosecution, portmanteaus, mail locks, and other expenses incident to the department; these being paid for by the postmaster general out of the funds of the office, two thousand dollars ;

For compensation to the several loan officers, thirteen thousand three hundred and thirty-three dollars and thirteen cents :

For compensation to the clerks of the several commissioners of loans, and an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorised expenses of the several loan offices, thirteen thousand dollars :

For extra expenses occasioned by the removal of the loan office of Pennsylvania to Germantown, during the summer of one thousand eight hundred and three, three hundred and forty-nine dollars :

For defraying the expense of clerk hire in the office of the commissioner of loans of the state of Pennsylvania, in consequence of the removal of the offices of the treasury department, in the year one thousand eight hundred, to the permanent seat of government, two thousand dollars :

For compensation to the surveyor general, and the clerks employed by him, and for expense of stationery and other contingencies of the surveyor general's office, three thousand two hundred dollars:

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For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, stationery, and other contingencies, two thousand seven hundred dollars:

For compensation to the officers of the mint:—

The director, two thousand dollars:

The treasurer, one thousand two hundred dollars:

The assayer, one thousand five hundred dollars:

The chief coiner, one thousand five hundred dollars:

The melter and refiner, one thousand five hundred dollars:

The engraver, one thousand two hundred dollars:

One clerk, at seven hundred dollars:

And two, at five hundred dollars each:

For the wages of persons employed at the different branches of melting, coining, carpenters, mill-wrights and smith's work, including the sum of eight hundred dollars per annum, allowed to an assistant coiner and die-forgers, who also oversees the execution of the iron work, six thousand five hundred dollars:

For the repairs of furnaces, cost of rollers and screws, timber, bar-iron, lead, steel, pot-ash, and for all other contingencies of the mint, two thousand nine hundred dollars:

For compensation to the governor, judges and secretary of the Mississippi territory, in-

Specific appro-
priations.

cluding a sum of eighty-two dollars, for the compensation of one of the judges, which has been carried to the credit of the surplus fund, five thousand two hundred and thirty-two dollars:

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars:

For compensation to the governor, judges and secretary of the Indiana territory, five thousand, one hundred and fifty dollars:

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars:

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, two thousand dollars:

For additional compensation to the clerks of the several departments of state, treasury, war and navy, and of the general post-office, not exceeding for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, intituled "An act to regulate and fix the compensation of clerks," eleven thousand eight hundred and eighty-five dollars:

For compensation granted by law to the chief justice, associate judges and district judges of the United States, including the chief justice and two associate judges of the district of Columbia, and to the attorney-general, and including also one thousand dollars for the compensation of the district judge of Ohio, for the year one thousand eight hun-

dred and three, fifty-four thousand nine hundred dollars :

For the like compensation granted to the several district attornies of the United States, two thousand eight hundred dollars :

For compensation to the marshals of the districts of Maine, New-Hampshire, Vermont, Kentucky, Ohio, east and west Tennessee, one thousand four hundred dollars :

For defraying the expenses of the supreme, circuit and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties ; and likewise, for defraying the expenses of prosecution for offences against the United States, and for safe keeping of prisoners, forty thousand dollars :

For the payment of sundry pensions granted by the late government, nine hundred dollars :

For the payment of an annuity granted to the children of the late colonel John Harding and major Alexander Trueman, by an act of Congress passed the fourteenth of May, one thousand eight hundred, six hundred dollars :

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and four, to the fourth of March, one thousand eight hundred and five, ninety-eight thousand dollars :

For the maintenance and support of light-houses, beacons, buoys and public piers, and stakeage of channels, bars and shoals, and certain contingent expenses, fifty-five thousand nine hundred and fifty-one dollars and thirty-three cents :

Specific appropriations.

Specific appro-
priations.

For the erection of a light-house on New-point Comfort, five thousand dollars; being the amount of a former appropriation carried to the credit of the surplus fund :

For the payment of balances due on the contracts for erecting the light-houses on Old-point Comfort, and Smith's Point, and for the inspection of the work, the balance of the former appropriations being carried to the credit of the surplus fund, two thousand dollars :

For erecting a light-house on Gull's Island, in the sound between Long Island and the Main, in addition to the sum heretofore appropriated for that purpose, three thousand five hundred dollars :

For defraying the expenses incident to the purchase or erection of certain warehouses and wharves, under the act respecting quarantine and health laws, in addition to the sums heretofore appropriated for that purpose, five thousand dollars : and so much of the sums received on account of storage for merchandise deposited in the public warehouses under said act, as may be necessary is hereby appropriated to the erection and repairs of the warehouses, and to carry the said act into effect :

For defraying the expenses incident to the valuation of lands and houses, and enumeration of slaves within the United States, as directed by the act of the ninth of July, one thousand seven hundred and ninety-eight; the balance of former appropriations having been carried to the credit of the surplus fund, three thousand dollars :

For the purpose of carrying into effect the act of the third of March, one thousand eight hundred and three, in relation to the lands south of the state of Tennessee, in addition

to the sum therein appropriated, ten thousand dollars :

Specific appropriations.

For the discharge of such miscellaneous demands against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, four thousand dollars :

For furniture for the President's house, being the balance of a former appropriation, carried to the credit of the surplus fund, one hundred and forty-five dollars, and seventeen cents :

For expenses of intercourse with foreign nations, including the compensation of the consuls at the several Barbary powers, forty-six thousand five hundred and fifty dollars :

For the other expenses of the intercourse between the United States and Algiers, and other Barbary powers, one hundred thousand dollars :

For carrying into effect the treaty between the United States and the king of Spain, the balance of former appropriations having been carried to the credit of the surplus fund, thirty-two thousand seven hundred and forty-seven dollars and thirty-six cents :

For the relief and protection of distressed American seamen, ten thousand dollars :

For salaries of the agents in Paris and Madrid, for prosecuting claims in relation to captures, three thousand three hundred and fifty dollars :

For satisfying a balance due to John Habersham, late agent for supplying the troops in Georgia, nine thousand and fifty-five dollars, and seventeen cents :

For the relief of sick or disabled American seamen at New-Orleans, in addition to the appropriations heretofore made for that purpose, one thousand dollars :

For discharging such sums as may, on settlement of their accounts, by the accounting officers of the treasury, be found due to persons whose property was taken for the use of the militia employed on the expedition to suppress the former insurrection in the western counties of Pennsylvania, one thousand dollars.

Out of what fund payable. Sec. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act making provision for the debt of the United States, and out of any monies in the treasury, not otherwise appropriated.

Sum found due to Thomas Johnson to be paid to him, and out of what fund. Sec. 3. *And be it further enacted*, That the sum which shall be found due on a settlement of the accounts of the militia who served on an expedition commanded by major Thomas Johnson, against the Indians, in the year one thousand seven hundred and ninety-four, be paid out of any monies in the treasury, not otherwise appropriated ; the appropriation made by the act of the thirteenth of May, one thousand eight hundred, having been carried to the credit of the surplus fund.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 14, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXII.

An ACT declaring the assent of Congress to an act of the General Assembly of Virginia, therein mentioned.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of Congress is hereby given and declared to an act of the General Assembly of Virginia, intituled "An act for improving the navigation of James river," which act was passed on the twenty-third day of January, in the year one thousand eight hundred and four.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

1804. March 16.

APPROVED,

TH: JEFFERSON.

CHAPTER XXIII.

An ACT to revive and continue in force, an act, intituled "An act for the relief of the refugees from the British Provinces of Canada and Nova Scotia."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, intituled "An act for the relief of the refugees from the British Provinces of Canada and Nova Scotia," approved on the seventh of April, one thousand seven hundred and

Former act revived and continued in force.

ninety-eight, shall be, and the same is hereby revived and continued in force for the term of two years from the passage of this act, and no longer.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 16, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER XXIV.

An ACT making an appropriation for carrying into effect the convention concluded between the United States and the king of Spain, on the eleventh day of August, one thousand eight hundred and two.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of defraying the expense which may arise in carrying into effect the convention concluded between the United States and the king of Spain, on the eleventh day of August, one thousand eight hundred and two, the following sums, to be paid out of any monies in the treasury, not otherwise appropriated, be, and the same hereby are appropriated, that is to say:

Appropriations made for carrying the convention into effect:

For salaries of commissioners,

For the salaries of the commissioners, including half the compensation of the fifth commissioner, half the expenses of the board, and the contingent expenses of the commissioners of the United States, twelve thousand

seven hundred and sixty dollars: *Provided*,
that the compensation to be allowed to any of
the commissioners, who may be appointed in
pursuance of the said convention, shall not
exceed the rate of four thousand four hun-
dred and forty-four dollars, per annum. Provido.

For the salary of an agent, whom the Pre-
sident of the United States is hereby authoris-
ed to appoint, for the purpose of supporting
the claims of citizens of the United States,
before the board of commissioners, and to
whom a compensation, not exceeding the rate
of three thousand dollars, per annum, may be
allowed, three thousand dollars. For the salary
of an agent.

Sec. 2. *And be it further enacted*, That
the President of the United States, be, and
he hereby is authorised to make the appoint-
ment of the said commissioners and agent,
during the recess of the Senate, and to grant
to the persons thus appointed, commissions
which shall remain in force until the end of
the next session of Congress, and no longer. President au-
thorised to
make the ap-
pointments of
Commissioners
and an agent,
and to grant
them commis-
sions.

Sec. 3. *And be it further enacted*, That
this act shall take effect and be in force, from
and after the day when the exchange of ratifi-
cations of the said convention shall be made. Act to take ef-
fect from the
exchange of ra-
tifications.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 16, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXV.

An ACT to provide for light-houses and buoys in the cases therein mentioned.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That as soon as the proprietor of the south end or point of St. Simon's island in the state of Georgia, shall convey, by good and sufficient titles, unto the United States, so much land on the south end of the said island, as the President of the United States shall deem sufficient and most proper for the site and accommodation of a light-house; and the jurisdiction of the land, so to be conveyed, shall have been ceded to the United States, by the state of Georgia, it shall be the duty of the secretary of the treasury to provide by contract, which shall be approved by the President of the United States, for building a light-house thereon, and for furnishing the same with all necessary supplies, and also to agree for the salaries or wages of the person or persons who may be appointed by the President for the superintendence, and care of the same. And the President is hereby authorised to make the said appointments.

When a sufficient quantity of land at the point shall be conveyed to the United States, the President shall fix upon the site for a light-house :—

The Secretary of the Treasury shall make arrangements for building one, &c. &c. The President to appoint a keeper, &c.

Secretary of the Treasury to have buoys placed near the bar of St. Simon's.

Sec. 2. *And be it further enacted*, That the secretary of the treasury under the direction of the President, be authorised and required to cause to be placed a buoy or buoys at such place or places on or near the bar of St. Simon's, as may conduce to the safe pilotage of vessels to and from the ports of Brunswick and Frederica.

The Secretary of the Treasury

Sec. 3. *And be it further enacted*, That it shall be lawful for the secretary of the trea-

surey to cause to be rebuilt, in such manner as he may deem expedient, the light-house at Clark's point within the town of New-Bedford in the state of Massachusetts.

to cause to be rebuilt the light house at Clark's point.

Sec. 4. *And be it further enacted*, That the secretary of the treasury, shall be, and he is hereby authorised and required to cause a sufficient light-house to be erected on Five-mile point, so called, near the entrance of the harbor of New-Haven in the state of Connecticut, and to appoint a keeper, and otherwise provide for such light-house at the expense of the United States: Provided, That sufficient land for the accommodation of such light-house, can be obtained at a reasonable price, and the legislature of Connecticut shall cede the jurisdiction over the same to the United States.

Secretary of the Treasury required to cause a light-house to be built at Five mile point, &c.

Provido.

Sec. 5. *And be it further enacted*, That there be appropriated for the purpose of defraying the charges and expenses to be incurred in executing the two first sections of this act, the sum of seven thousand dollars;—for rebuilding the light-house as aforesaid at Clark's point, a sum not exceeding two thousand five hundred dollars; and for the erection of a light-house at the Five-mile point aforesaid, a sum not exceeding two thousand five hundred dollars; which sums shall be paid out of any monies in the treasury not otherwise appropriated.

Appropriations for carrying this act into effect.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 16, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXVI.

An ACT granting further time for locating military land-warrants; and for other purposes.

Former act revived and continued in force 'till the first April one thousand eight hundred and five.

Proviso.

Proviso.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the Heathen," approved the twenty-sixth day of April, eighteen hundred and two, be, and the same is hereby revived and continued in force, until the first day of April, one thousand eight hundred and five: *Provided however,* That the holders or proprietors of warrants or registered certificates, shall and may locate the same, only on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, which had been reserved for original holders, by virtue of the fifth section of an act, entitled "An act in addition to an act, entitled "An act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the Heathen:" *And provided also,* That no holder or proprietor of warrants or registered certificates, shall be permitted to locate the same by virtue of this act, unless the secretary of war shall have made an endorsement on such warrant or registered certificate, certifying that no warrant has been issued for the same claim to military bounty land, and

by virtue of the second section of the act, entitled, " An act to revive and continue in force an act in addition to an act, entitled " An act in addition to an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the Heathen ; and for other purposes," approved the third day of March, eighteen hundred and three.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 19, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXVII.

An ACT providing for the expenses of the Civil Government of Louisiana.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the monies which have been, or which shall be received by any officer of the United States, on account of duties or taxes within the territories ceded by the French Republic to the United States, by the treaty of the thirtieth of April, eighteen hundred and three, shall be paid into the treasury, and accounted for in the same manner as other public monies.

Sec. 2. *And be it further enacted, That for the purpose of making a reasonable compensation to the person or persons, in whom*

Monies received for duties or taxes in Louisiana to be accounted for and paid into the Treasury, as other monies.

Sum appropriated for defraying the expenses incurred in tak-

ing possession of,
and holding
Louisiana 'till
a new govern-
ment thereof
shall be esta-
blished.

the powers of civil government, heretofore exercised by the officers of the said territories under the Spanish and French governments, have been vested by the President of the United States, and also for defraying the other civil expenses of the said territories, from the time when possession of the same was obtained by the United States, to the time when a form of government shall, under the authority of Congress, be established therein, a sum not exceeding twenty thousand dollars, to be expended under the direction of the President of the United States, and to be accounted for as other public monies, shall be, and the same hereby is appropriated, to be paid out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 19, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXVIII.

*An ACT for the relief of the sufferers by fire,
in the town of Norfolk.*

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who, being indebted to the United

States for duties on merchandise, have given bond therefor with one or more sureties, payable to the collector for the district of Norfolk and Portsmouth, and who have suffered a loss of property by the late conflagration at the town of Norfolk, shall be, and they hereby are allowed to take up, or have cancelled, all bonds heretofore given for duties as aforesaid, upon giving to the collector new bonds, with one or more sureties to the satisfaction of the said collector, for the sums of their former bonds respectively, payable in twelve months from and after the day of payment specified in the bonds to be taken up or cancelled, as aforesaid; and the said collector is hereby authorised and directed to give up or cancel all such bonds, upon the receipt of others, as described in this act; which last mentioned bonds shall be proceeded with in all respects, like other bonds which are taken by collectors for duties due to the United States: *Provided*, however, that nothing in this act contained shall extend to bonds which had fallen due before the nineteenth day of February last.

Bonds given for duties, where the obligor has sustained losses by the fire, to be cancelled, and new ones with further indulgence to the debtors, to be taken by the collector.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 19, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXIX.

An ACT making an appropriation for defraying the expenses incurred in enquiring into the official conduct of Samuel Chase, and Richard Peters, and in conducting the impeachment against John Pickering.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the payment of such expenses as may have been or hereafter may be incurred in prosecuting the enquiry into the official conduct of Samuel Chase, and Richard Peters, and in conducting the impeachment against John Pickering.

Appropriations for carrying on the impeachment against Samuel Chase and John Pickering.

Fees to the witnesses.

Sec. 2. *And be it further enacted*, That to every witness summoned to attend the Senate in support of the said impeachment, there shall be allowed for every day's attendance, the sum of three dollars, and at the rate of twelve and a half cents per mile, in coming from and returning to his place of abode, for travelling expenses.

Any other expense authorised by the chairman of the committee to be allowed and paid.

Sec. 3. *And be it further enacted*, That any other expense certified by the chairman of any committee appointed to conduct the said enquiry or impeachment, to have been authorised by him, shall also be allowed and paid.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 19, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXX.

An ACT for the relief of the captors of the Moorish armed ships Meshouda and Mirboba.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of eight thousand five hundred and ninety-four dollars, and fifty cents, being one moiety of the value of the armed ship Meshouda, captured by the frigate John Adams, commanded by capt. John Rodgers, and restored to the Emperor of Morocco, be, and the same is hereby appropriated for defraying the expense of prize money due to the captors; and that the further sum of seven hundred and thirty-eight dollars, and twenty-five cents, be, and the same is hereby appropriated for defraying the expenses incurred for the said ship, whilst in possession of the captors.

Appropriations for the expense of prize money due to the captors of the Meshouda: and for defraying the expense whilst the Meshouda was in the possession of the captors.

Sec. 2. *And be it further enacted,* That the further sum of five thousand dollars, be, and the same hereby is appropriated, for defraying the expense of prize money due to the officers and crew of the frigate Philadelphia, commanded by captain William Bainbridge, being one moiety of the value of the armed ship Mirboba, captured by the aforesaid frigate Philadelphia, and likewise restored to the Emperor of Morocco.

For the captors of the Mirboba:

Sec. 3. *And be it further enacted,* That the aforesaid several sums shall be divided amongst the captors, respectively, in the proportion already established by law, for the distribution of prize money, and shall be paid

Foregoing sums divided amongst the captors, according to the principles of distributing prize money.

out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 19, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXXI.

An ACT altering the sessions of the district courts of the United States for the districts of Virginia, Rhode-Island, and for the district of West Tennessee.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the sessions of the district court for the district of Virginia, directed by law to be held in the town of Norfolk, shall be hereafter held and commence on the fifteenth day of June, and on the fifteenth day of December, in every year; and that the sessions of the said court, directed by law to be held in the city of Richmond, shall be held and commence on the nineteenth day of May, and on the nineteenth day of November, in every year.

Sec. 2. *And be it further enacted,* That when either of the said days shall happen to be a Sunday, the sessions of the said court shall commence on the following day.

Sec. 3. *And be it further enacted,* That all writs and process which have been issued, and all recognizances returnable, and all suits and

Sessions of the District Court of Virginia altered.

Writs and process continued

other pleadings which have been continued, to the said district court, directed by law to be holden in Norfolk, on the third Tuesday in March next, shall be returned and held continued to the fifteenth day of June next; and in like manner, all writs and process which [have] been issued, and all recognizances returnable, and all suits and other proceedings which have been continued to the said district court, directed by law to be holden in the city of Richmond, on the third Tuesday in June next, shall be returned, and held continued to the nineteenth day of May next.

Sec. 4. *And be it further enacted*, That from and after the first day of April next, the session of the district court for the district of Rhode-Island, shall commence at Newport, on the second Tuesday in May, and third Tuesday in October; at Providence, the first Tuesday in August, and the first Tuesday in February, annually; any law to the contrary, notwithstanding.

Sec. 5. *And be it further enacted*, That all suits, process, and proceedings, of what nature or kind soever, pending in, or made returnable to said court, shall, after the said first day of April next, be continued over until the next court to be held in conformity to this act.

Sec. 6. *And be it further enacted*, That the sessions of the district court for the district of West Tennessee, directed by law to be held in the town of Nashville, shall be hereafter held and commence on the Thursday next succeeding the fourth Mondays of May and November, in every year; and that all writs and process which have been issued, and all recognizances returnable, and all suits and other proceedings which have been conti-

over accordingly.

Sessions of the District Court of Rhode Island altered.

Writs and process continued over accordingly.

Sessions of the District Court of West Tennessee altered.

Process continued over accordingly.

nued to the said district court directed by law to be held at Nashville, on the fourth Monday of May next, shall be returned and held continued to the Thursday next succeeding said fourth Monday.

NATHL. MACON,
Speaker of the House of Representatives.
 JESSE FRANKLIN,
President of the Senate, pro tempore.
 1804. March 23.
 APPROVED,
 TH: JEFFERSON.

CHAPTER XXXII.

*An ACT supplementary to the act, intituled
 “ An act to incorporate the subscribers to
 the Bank of the United States.”*

Bank of the
 United States
 authorized to
 establish offices
 of Discount and
 Deposit.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President and Directors of the Bank of the United States shall be, and they are hereby authorised to establish offices of Discount and Deposit in any part of the territories or dependencies of the United States, in the manner, and on the terms prescribed by the act to which this is a supplement.

NATHL. MACON,
Speaker of the House of Representatives.
 JESSE FRANKLIN,
President of the Senate, pro tempore.
 March 23, 1804.
 APPROVED,
 TH: JEFFERSON.

CHAPTER XXXIII.

An ACT to ascertain the boundary of the lands reserved by the state of Virginia; north west of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the line run under the direction of the surveyor general of the United States, from the source of the little Miami, towards the source of the Scioto, and which binds on the east, the surveys of the lands of the United States, shall, together with its course continued to the Scioto river, be considered and held as the westerly boundary line, north of the source of the Little Miami, of the territory reserved by the state of Virginia between the Little Miami and Scioto rivers, for the use of the officers and soldiers of the continental line of that state: *Provided*, That the state of Virginia shall, within two years after the passing of this act, recognise such line as the boundary of the said territory.

Boundary line described.

Provide:

Sec. 2. *And be it further enacted*, That all the officers and soldiers, or their legal representatives who are entitled to bounty lands within the above mentioned reserved territory, shall complete their locations within three years after the passing of this act, and every such officer and soldier, or his legal representative, whose bounty land has or shall

Officers and soldiers to complete their locations in three years within the reserved territory.

Officers and soldiers whose bounty land shall have been located on that part of the territory to which the Indian title has been extinguished to make returns &c. to the Secretary of war in five years.

Papers returned to be evidence entitling the claimants to patents.

have been located within that part of the said territory, to which the Indian title has been extinguished, shall make return of his or their surveys to the secretary of the department of war, within five years after the passing of this act, and shall also exhibit and file with the said secretary, and within the same time, the original warrant or warrants under which he claims, or a certified copy thereof, under the seal of the office where the said warrants are legally kept; which warrant, or certified copy thereof, shall be sufficient evidence that the grantee therein named, or the person under whom such grantee claims, was originally entitled to such bounty land: and every person entitled to said lands and thus applying, shall thereupon be entitled to receive a patent in the manner prescribed by law.

Unlocated portion of the reserved territory in five years to be released from claims and disposed of, &c.

Sec. 3. *And be it further enacted*, That such part of the above mentioned reserved territory as shall not have been located, and those tracts of land, within that part of the said territory to which the Indian title has been extinguished, the surveys whereof shall not have been returned to the secretary of war, within the time and times prescribed by this act, shall thenceforth be released from any claim or claims for such bounty lands, and shall be disposed of in conformity with the provisions of the act, entitled, "An act in addition to, and modification of, the propositions contained in the act, entitled, "An act to enable the people of the eastern division of the territory, north west of the river Ohio, to form a constitution and state government, and for the admission of such state into the

union, on an equal footing with the original states, and for other purposes.”

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 23, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXXIV.

An ACT further to alter and establish certain post roads ; and for other purposes.

BE it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the following post roads be discontinued:

Post Roads discontinued.

In North-Carolina.

From Woodstock to Hyde court house ; from Hallifax to Tarborough ; and from Tarborough to Louisburg.

In Virginia.

From Lexington, by Amherst springs to Cabelsborough ; from Pendleton court house, to Bath court house ; and from Alexandria to Piscataway, in Maryland.

In Kentucky.

From Hartford, by Vienna, to Muhlenburg court house.

In Ohio.

From Zanesville to Marietta ; and from Cincinnati to Detroit.

In Maryland.

From Westminster to Taneytown ; from Emmitsburg to Fairfield, in Pennsylvania ; from Elkton to Sassafras ; from Bridge-

Post Roads dis-
continued.

town to Greenborough, and from Brook-
ville to Taneytown.

In Pennsylvania.

From Pittsburg to Meedsville.

In Massachusetts.

From Worcester to Providence in Rhode-Is-
land.

In Vermont.

From Newbury, by Barry, to Montpelier.

In New-York.

From the town of Chester in Washington
county to Plattsburg.

Post Roads es-
tablished.

Sec. 2. *And be it further enacted, That*
the following post roads be established, to wit:

In Georgia.

From Athens to Walkinsville.

In South-Carolina.

From Orangeburg, by Barnwell court house,
Tredways, and Town creek mills to
Campbetton;

From Statesburg to Columbia.

In North-Carolina.

From Warrenton, by Ransom's bridge and
Enfield, to Tarborough; and to return by
Nash court house, Sill's store and Ran-
som's bridge, to Warrenton; from Halifax
to Enfield; from Scotland Neck, by Gran-
bury's Cross Roads to Windsor; and from
Newbern to the town of Beaufort; from
Raleigh by Nutall's store, to Merritsville,

In Virginia.

From Fredericksburg, by Falmouth, Elk run
church, Fauquier court house and Salem
to Paris; from Clarksburg, by Buchanan
settlement, to Randolph court house; from
Lancaster court house to Kilmarnock; and
from Kanawha court house, by Point Plea-
sant, to Galliopolis, in Ohio; from thence

to the Scioto salt springs; and from Prince Edward court house, by Lester's store, Wheeler's springs, and Campbell court house, to New-London; from Danville, in Virginia, to Lenox's castle, in North-Carolina; and from Wood court house to Marietta.

In Kentucky.

From Springfield, by Green court house, Adair court house, and Cumberland court house, to Jackson court house, in Tennessee; and from thence to Blackburn springs; from John Wood's near the Hazle patch, to Lincoln court house; from the town of Washington to Augusta; from Frankfort to Henry court house; that the post road from Montgomery court house to Fleming court house, shall pass by Slate creek iron works, and the Upper Blue Licks; and that the post road from Hartford to Logan court house, shall pass by Muhlenburg court house.

In Tennessee.

From Dixon's springs, by Lebanon and Rutherford court house, to Nashville; and that the post road from Nashville to Springfield, shall pass by Mansker's lick.

In Ohio.

From Warren, in the county of Trumbull, by Cleveland, to Detroit; from Chillicothe to Alexandria; from Steubenville to New Lisbon; from Chillicothe to Franklinton; from Cincinnati, through Franklin and Dayton, to Stanton, from thence through Wainsville and Deerfield to Charleston; from Zanesville to Tuscorowa to Graden hutton; and that the post road from Georgetown to Canfield, shall pass through New Lisbon.

In Pennsylvania.

From Alexandria through Hollidaysburg, Beula and Armagh, to Greensburg; from Pittsburg through Butler and Mercer to Meedsville; from Bedford by Berlin to Somerset; from Chambersburg through Strasburg and Faunetsburg to Huntingdon.

In New-Jersey.

From Ringoe's tavern, by Somerset court house, Bound brook, Scotch plains and Springfield, to Newark; and from Rahway, by Scotch plains to New-Providence.

In New-York.

From Kingston through Catskill, Loonenburg, and Coxsackie, to the city of Albany; from Lansingburg, through Schaghticoke, Easton, Argyle, and Hartford, to Whitehall; from Owego to Aurora; from Unadella to Cooperstown; from the little falls on the Mohawk river, to the academy in Fairfield; from Kingston, by Delhi, to the post office in Meredith; from Walton to Jericho; from the painted post in the state of New-York, to Williamsport, in the state of Pennsylvania; the post road from Canan-dagua to Niagara, shall pass by Buffaloe Creek.

In Connecticut.

From Hartford, through Granby and Granville, to Blanford, in Massachusetts; from New-Haven, through Hamden, Cheshire, and Southington, to Farmington; and from Hartford, through Glastenbury and Colchester, to New-London.

In Massachusetts.

From Shrewsbury, through Holden, Rutland, Oakham, Hardwick, Greenwich, Pelham and Amherst to Northampton.

In Maine.

From Brunswick, by Litchfield and Hallowell, to Augusta; from Wiscasset to Boothbay; and from Fryburgh, through Conway, the notch of the white mountain, Jefferson, Lancaster, to Guildhall court house in Vermont.

In New-Hampshire.

From Haverhill in Massachusetts to pass through Salem to Windham in New-Hampshire; from Alsop to Conway; from Salisbury to Plymouth, alternately on each side of Merimack river; from Littleton to Guildhall court house, alternately on each side of Connecticut river; from Littleton thro' St. Johnsbury and Danville in Vermont, to St. Alban's on Lake Champlain.

In Louisiana.

From Massac, on the Ohio river, to Cape Girardeau, in Louisiana; from thence to New Madrid; from the said Cape Girardeau, by St. Geneveive to Kaskaskias, in the Indiana territory; and from Canokia to St. Louis, in Louisiana; from Natchez to Tombigby, and from Natchez to New-Orleans.

Sec. 3. *And be it further enacted*, That all letters, returns, and other papers on public service, sent by the mail to or from the offices of inspector and pay-master of the army, shall be received and conveyed free of postage.

Letters to or from the offices of Inspector and Postmaster to be conveyed free of postage.

Sec. 4. *And be it further enacted*, That whenever it shall be made to appear to the satisfaction of the post master general, that any road established by this or any former act, as a post road, is obstructed by fences, gates, or bars, other than those lawfully used on turnpike roads, to collect their toll, and not kept in good repair with proper bridges and ferries, where the same may be necessary, it

Postmaster General to report to Congress the roads which have obstructions to enable

Congress to est-
ablish other
roads.

shall be the duty of the post master general to report the same to Congress, with such information as can be obtained, to enable Congress to establish some other road instead of it in the same main direction.

Existing con-
tracts not af-
fected by this
act.

Sec. 5. *And be it further enacted, That this act shall not be so construed as to affect any existing contract for carrying the mail.*

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXXV.

An ACT making provision for the disposal of the public lands in the Indiana territory; and for other purposes.

Powers of the
Surveyor Ge-
neral extended
over all the
lands of the U-
nited States
north of the
Ohio, and east
of the Missis-
sippi; and he
shall cause
them to be laid
off into town-
ships.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the powers vested by law in the surveyor general, shall extend over all the public lands of the United States to which the Indian title has been or shall hereafter be extinguished, north of the river Ohio, and east of the river Mississippi; and it shall be the duty of the said surveyor general, to cause the said lands to be surveyed into townships, six miles square, and divided in the same manner and under the same regulations, and to do and perform all such other acts in relation to the said lands, as is provided by law in relation to the lands of the United States, situate north-west of

the river Ohio and above the mouth of Kentucky river: *Provided*, That the whole *Provido.* expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed and marked: *And provided also*, That such tracts *Provido.* of land as are lawfully claimed by individuals within the said boundaries, and the title whereto has been or shall be recognized by the United States, shall be laid out and surveyed at the expense of the parties respectively, in conformity with the true boundaries of such tracts. And it shall also, be the duty of the said surveyor general to cause to be run, surveyed and marked such of the Indian boundary lines of the said lands, as have not yet been surveyed; and with the approbation of the President of the United States to ascertain by astronomical observations the positions of such places north of the river Ohio and east of the river Mississippi, as may be deemed necessary for the correctness of the surveys, and to be the most important points of the geography of the country.

Sec. 2. *And be it further enacted*, That for the disposal of the lands of the United States, north of the river Ohio and east of the river Mississippi, in the Indiana territory, three land offices shall be established in the same, one at Detroit for the lands lying north of the state of Ohio to which the Indian title has been extinguished; one at Vincennes for the lands to which the Indian title has been extinguished, and which are included within the boundaries fixed by the treaty lately held with the Indian tribes of the Wabash; and one at Kaskaskia, for so much of the lands included within the boundaries fixed by the treaty of

Land offices
established at
Detroit, Vincennes and Kaskaskia.

Register and receiver of public monies appointed for each of them—Duties and emoluments of these officers.

the thirteenth of August, one thousand eight hundred and three, with the Kaskaskia tribe of Indians, as is not claimed by any other Indian tribe: and for each of the said offices a register and a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices, as are or may be by law provided, in relation to the registers and the receivers of public monies in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

Persons claiming lands described in the preceding section, under grants from the French, British or United States governments to deliver to the Registers of the land offices of the Districts in which the lands are situated, statements of the extent of their claims.

Sec. 3. *And be it further enacted,* That every person claiming lands within any of the three tracts of land described in the preceding section, by virtue of any legal grant made by the French government, prior to the treaty of Paris, of the tenth of February, one thousand seven hundred and sixty-three, or of any legal grant made by the British government, subsequent to the said treaty, and prior to the treaty of peace between the United States and Great-Britain, of the third of September, one thousand seven hundred and eighty-three, or of any resolution, or act of Congress, subsequent to the said treaty of peace, shall, on or before the first day of January, one thousand eight hundred and five, deliver to the register of the land office, within whose district the land may lie a notice in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and may also, on or before that day, deliver to the said

register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents, for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice, in writing, of his claim, or to cause to be recorded such written evidence of the same, all his right, so far as the same is derived from any resolution or act of Congress, shall become void, and forever be barred.

Which shall be recorded.

Fees demandable for the same.

Sec. 4. *And be it further enacted*, That the register, and receiver of public monies, of the three above mentioned land offices, shall, for the lands respectively lying within their districts, be commissioners for the purpose of examining the claims of persons claiming lands by virtue of the preceding sections. Each of the said commissioners shall, previous to entering on the duties of his appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same, "I, _____ do solemnly swear, (or affirm) that I will impartially exercise and discharge the duties imposed upon me, as commissioner for examining the claims to land, by an act of Congress, intituled "An act making provision for the disposal of the public lands in the Indiana territory; and for other purposes."

The Registers to be Commissioners in their respective Districts.

It shall be the duty of the said commissioners to meet at the places where the said land offices are by this act established, respectively, on or before the first day of January, one

Their duty.

The Commissioners to meet in the several Districts and to decide upon claims: invested with power to compel the attendance of witnesses to examine them:

To report their proceedings to Congress,

The boards to have power to appoint clerks.

Duty of the clerks

Books and papers, upon the dissolution of the board, to be lodged in the offices of the registers of the land offices:

Clerks to prepare transcripts of the decisions of the boards.

What is then to be done with them.

Commissioners to make report to the Secretary of the Treasury of the claims rejected by them, with the substance of the evidence adduced in their support.

thousand eight hundred and five; and each board shall, in their respective districts, have power to hear in a summary manner all matters respecting such claims; also to compel the attendance of witnesses, to administer oaths, and examine witnesses, and such other testimony as may be adduced, and to decide thereon according to justice and equity, which decision shall be laid before Congress in the manner herein after directed, and be subject to their decision thereon. The said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices; and the said clerk shall prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants to land, both of which shall be signed by the said commissioners, and one of which shall be transmitted to the surveyor general, and the other to the secretary of the treasury; and the lands, the claims to which shall have been thus affirmed by the commissioners, shall not be otherwise disposed of, until the decision of Congress thereupon shall have been made. It shall likewise be the duty of the said commissioners to make to the secretary of the treasury a full report of all the claims filed with the register of the proper land office, as above directed, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think pro-

per: which reports, together with the transcripts of the decisions of the commissioners in favor of claimants, shall be laid by the secretary of the treasury before Congress at their next ensuing session. Each of the commissioners and clerks aforesaid, shall be allowed a compensation of five hundred dollars in full for his services as such; and each of the said clerks, shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation, to wit: "I, do solemnly swear (or affirm) that I will truly and faithfully discharge the duties of a clerk to the board of commissioners for examining the claims to land, as enjoined by an act of Congress, intituled "An act making provision for the disposal of the public lands in the Indiana territory; and for other purposes."

Secretary of the Treasury to report these with the transcripts of claims admitted, to Congress.

Compensation to the commissioners and clerks.

Official oath of the clerks.

Sec. 5. *And be it further enacted*, That all the lands aforesaid not excepted by virtue of the preceding section, shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of an entire township in each of the three above described tracts of country or districts, to be located by the secretary of the treasury, for the use of a seminary of learning, and with the exception also of the salt springs and lands reserved for the use of the same as herein after directed, be offered for sale to the highest bidder, under the direction of the surveyor general, or governor of the Indiana territory, of the register of the land office, and of the receiver of public monies, at the places respectively, where the land offices are kept, and on such

All the lands with certain exceptions, to be sold, on what terms and where.

day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks and no longer: the lands shall not be sold for less than two dollars an acre, and shall in every other respect, be sold in tracts of the same size and on the same terms and conditions as have been or may be by law provided for the lands sold north of the river Ohio and above the mouth of Kentucky river. All lands, other than the reserved sections and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the registers of the respective land offices in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio and above the mouth of Kentucky river. And patents shall be obtained for all lands granted or sold in the Indiana territory, in the same manner and on the same terms as is or may be provided by law for lands sold in the state of Ohio, and in the Mississippi territory.

Sec. 6. *And be it further enacted,* That all the navigable rivers, creeks and waters, within the Indiana territory, shall be deemed to be and remain public highways; and the several salt springs in the said territory, together with as many contiguous sections to each, as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States: And any grant which may hereafter be made for a tract of land, containing a salt spring which

All the navigable rivers, &c. in the Indiana territory to be public highways.

Salt springs, with contiguous sections reserved for the disposal of the United States.

had been discovered previous to the purchase of such tract from the United States, shall be considered as fraudulent and null.

Surreptitious grants of salt springs null and void.

Sec. 7. *And be it further enacted*, That the several provisions made in favor of persons who have contracted for lands with John Cleves Symmes and his associates, by an act intituled "An act to extend and continue in force the provisions of an act intituled "An act giving a right of pre-emption to certain persons, who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers in the territory north west of the Ohio, and for other purposes," shall be and the same are hereby continued in force until the first day of June next; *Provided*, That the register of the land office and receiver of public monies at Cincinnati shall perform the same duties, exercise the same powers, and enjoy the same emoluments, which by the last recited act were enjoined on or vested in the commissioners designated by the said act: *And provided also*, That no certificate for a right of pre-emption shall be granted, except in favor of persons who had, before the first day of January, one thousand eight hundred, made contracts in writing with John Cleves Symmes or with any of his associates, and who had made to him or them any payment or payments of money for the purchase of such lands; nor unless at least one twentieth part of the purchase money of the land claimed, shall have previously been paid to the receiver of public monies, or shall be paid prior to the first day of January next. And every person who shall obtain a certificate of pre-emption, shall be allowed until the first day of January, one thou-

Provisions in favour of purchases under J. C Symmes continued in force till June next.

Provido.

Provido.

Proviso

sand eight hundred and six, to complete the payment of his first instalment: *And provided also*, That where any person or persons shall, in virtue of a contract entered into with John Cleves Symmes, have entered and made improvements on any section or half section prior to the first day of April last (having conformed with all the foregoing provisions in this section) which improvements by the running of the lines subsequently thereto shall have fallen within any section, or half section other than the one purchased as aforesaid, and other than section number sixteen, such section or half section shall in that case be granted to the person or persons who shall have so entered, improved and cultivated the same, on payment of the purchase money agreeably to the provisions made by law for lands sold at private sale; but nothing herein contained shall be construed to give to any such person or persons a greater number of acres than he or they had contracted for, with John Cleves Symmes as aforesaid.

Persons having certificates of rights of pre-emption under contracts with or purchases from J. Cleves Symmes allowed further time for paying.

Sec. 3. *And be it further enacted*, That every person who may have heretofore obtained from the commissioners, a certificate of a right of pre-emption for lands lying between the two Miami rivers, on account of contracts with, or purchase from John Cleves Symmes or his associates, and who has paid his first instalment; and every person, who may obtain a similar certificate by virtue of the preceding section, and shall, on or before the first day of January, one thousand eight hundred and six, pay his first instalment, be permitted to pay the residue of the purchase money in six annual equal payments.

Sec. 9. *And be it further enacted*, That fractional sections of the public lands of the United States, either north of the river Ohio, or south of the state of Tennessee, shall, under the directions of the secretary of the treasury, be either sold singly, or by uniting two or more together; any act to the contrary, notwithstanding: *Provided*, That no fractional sections shall be sold in that manner until after they shall have been offered for sale to the highest bidder, in the manner hereinafter directed.

Fractional sections may be sold, united, or singly.

Proviso:

Sec. 10. *And be it further enacted*, That all the public lands of the United States, the sale of which is authorised by law, may, after they shall have been offered for sale to the highest bidder in quarter sections, as herein after directed, be purchased at the option of the purchaser, either in entire sections, in half sections, or in quarter sections; in which two last cases the sections shall be divided into half sections by lines running due north and south, and the half sections shall be divided into quarter sections by lines running due east and west. And in every instance in which a subdivision of the lands of the United States, as surveyed in conformity with law, shall be necessary to ascertain the boundaries or true contents of the tract purchased, the same shall be done at the expense of the purchaser.

Public lands of the United States may be sold in whole, half or quarter sections.

All subdivisions to be at the expense of purchasers.

Sec. 11. *And be it further enacted*, That no interest shall be charged on any instalment which may hereafter become due, in payment for any of the public lands of the United States, wherever situated, and which have been sold in pursuance of the act, intituled "An act to amend the act, intituled "An

Interest not payable for purchases of public land, if the principal be punctually paid.

act providing for the sale of the lands of the United States, in the territory north west of the Ohio, and above the mouth of Kentucky river," or which may hereafter be sold by virtue of that, or of any other act of Congress : *Provided*, That such instalments shall be paid on the day on which the same shall become due ; but the interest shall be charged and demanded in conformity with the provisions heretofore in force, from the date of the purchase on each instalment which shall not be paid on the day on which the same shall become due : *Provided however*, That on the instalments which are or may become due before the first day of October next, interest shall not be charged, except from the time they became due until paid, but in failure to pay the said instalments on the said first day of October, interest shall be charged thereon, in conformity with the provisions heretofore in force, from the date of the purchase.

Certain sections of lands and fractional sections and other public land north of the Ohio and above the mouth of Kentucky river, to be offered for sale :

Under whose direction.

Times and places of sale.

Sec. 12. *And be it further enacted*, That the sections which have been heretofore reserved, and are by this act directed to be sold, also, the fractional sections, classed as is by the ninth section of this act directed, and all the other lands of the United States, north of the Ohio, and above the mouth of Kentucky river, shall be offered for sale in quarter sections, to the highest bidder, under the directions of the register of the land office, and of the receiver of public monies, at the places, respectively, where the land offices are kept, that is to say ; the lands in the districts of Chilicothe, on the first Monday of May ; the lands in the district of Marietta, on the second Monday of May ; the lands in the district of Zanesville, on the third Mon-

day of May; the lands in the district of Steubenville, on the second Monday of June; and the lands in the district of Cincinnati, on the first Monday of September. The sales shall remain open at each place no longer than three weeks; the lands which may be thus sold, shall not be sold for less than two dollars per acre, and shall, in every other respect be sold on the same terms and conditions, as is provided for the sale of lands sold at private sale. And all the other public lands of the United States, either north of the Ohio, or south of the state of Tennessee, which are directed to be sold at public sale, shall be offered for sale to the highest bidder, in quarter sections:

How long the sales to remain open.

Terms of sales.

Other public lands, north of the Ohio, or south of Tennessee to be offered to the highest bidder, in quarter sections.

proviso.

Provided however, That section number twenty-six of the third township of the second fractional range, within the grant made by the United States to John C. Symmes, on which is erected a mill dam, is hereby granted to Joseph Vanhorne, the proprietor of the said dam; and also, that section, number twenty-nine of the second township of the fourth entire range, be granted to James Sutton; and also, that section number twenty-one of the ninth township of the twenty-first range, be

anted to Christian Van Gundy, on their payment of the purchase money, agreeably to the provisions made by law, for lands sold at private sale.

Sec. 13. *And be it further enacted,* That whenever any of the public lands shall have been surveyed in the manner directed by law, they shall be divided by the secretary of the treasury into convenient surveying districts, and a deputy surveyor shall, with the approbation of the said secretary, be appointed by the surveyor general for each district, who

Public lands, after having been surveyed, to be divided by the Secretary of the Treasury, into surveying districts:

For each of which a deputy surveyor, with

the approbation of the Secretary of the Treasury, shall be appointed.

His duties.

The Surveyor General to furnish the Deputies with copies of the plats and fractional parts of townships in their districts :

Fees of the Deputies.

shall take an oath or affirmation truly and faithfully to perform the duties of his office ; and whose duty it shall be to run and mark such lines as may be necessary for subdividing the lands surveyed as aforesaid, into sections, half sections or quarter sections, as the case may be ; to ascertain the true contents of such subdivisions ; and to record in a book to be kept for that purpose, the surveys thus made. The surveyor general shall furnish each deputy surveyor with a copy of the plat of the townships and fractional parts of townships contained in his district, describing the subdivisions thereof, and the marks of the corners. Each deputy surveyor shall be entitled to receive from the purchaser of any tract of land, of which a line or lines shall have been run and marked by him, at the rate of three dollars for every mile thus surveyed and marked, before he shall deliver to him a copy of the plat of such tract, stating its contents. The fees payable by virtue of former laws for surveying expenses shall, after the first day of July next, be no longer demandable from, and paid by the purchasers. And no final certificate shall thereafter be given by the register of any land office to the purchaser of any tract of land, all the lines of which shall not have been run, and the contents ascertained by the surveyor general or his assistants, unless such purchaser shall lodge with the said register a plat of such tract, certified by the district surveyor.

Sec. 14. *And be it further enacted*, That from and after the first day of April next, each of the registers and receivers of public monies of the several land offices established by law, either north of the river Ohio, or

Additional compensation to the Registers and Receivers of public mo-

south of the state of Tennessee, shall, in addition to the commission heretofore allowed, receive one half per cent. on all the monies paid for public lands sold in their respective offices, and an annual salary of five hundred dollars, the register and receiver of the land office at Marietta excepted, the annual salary of whom shall be two hundred dollars. And from and after the same day the fees payable by virtue of former laws, to the registers of the several land offices, for the entry of lands and for certificates of monies paid, shall no longer be demandable from nor paid by the purchasers of public lands. And it shall be the duty of the secretary of the treasury to cause, at least once every year, the books of the officers of the land offices to be examined, and the balance of public monies in the hands of the several receivers of public monies of the said offices, to be ascertained.

monies of the federal land offices.

Certain fees heretofore payable discontinued:

Books of the officers of the land offices to be annually examined, and the balance in their hands ascertained.

Sec. 15. *And be it further enacted*, That from and after the first day of April next, the fees heretofore payable for patents for lands, shall no longer be paid by the purchasers. And it shall be the duty of every register of a land office on application of the party, to transmit, by mail, to the register of the treasury, the final certificate granted by such register to the purchaser of any tract of land sold at his office: and it shall be the duty of the register of the treasury, on receiving any such certificate, to obtain and transmit, by mail, to the register of the proper land office, the patent to which such purchaser is entitled; but, in every such instance, the party shall previously pay to the proper deputy post master, the postage accruing on the transmission of such certificate and patent.

Fees heretofore demandable for patents no longer payable.

Registers of the land offices to transmit the final certificates of purchasers to the Register of the Treasury—Postage to be paid by the purchasers.

Register of the Treasury to transmit to the Register of the proper land offices the patents.

President au-
thorised to ap-
point Registers,
&c. of the land
offices :

Commissions to
remain in force
'till the end of
the next session
of Congress.

Sec. 16. *And be it further enacted*, That the President of the United States shall have full power to appoint and commission the several registers and receivers of public monies of the land offices established by this act, in the recess of congress; and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

Per diem al-
lowance to su-
perintendants
of sales.

Sec. 17. *And be it further enacted*, That the several superintendants of the public sales directed by this act, shall receive six dollars each, for each day's attendance on the said sales.

Sum appropri-
ated to carry
this act into
effect.

Sec. 18. *And be it further enacted*, That a sum not exceeding twenty thousand dollars, be, and the same is hereby appropriated, for the purpose of carrying this act into effect; which sum shall be paid out of any unappropriated monies in the treasury.

NATHL. MACON,
Speaker of the House of Representatives.
JESSE FRANKLIN,
President of the Senate, pro tempore.
March 26, 1804.

APPROVED,
TH: JEFFERSON.

CHAPTER XXXVI.

An ACT altering the time for the next meeting of Congress.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the expiration of the present session, the next

meeting of congress shall be on the first Monday of November next.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER XXXVII.

An ACT authorising the payment of two thousand eight hundred dollars to Philip Sloan.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be paid to Philip Sloan, out of any unappropriated money in the treasury of the United States, the sum of two thousand and eight hundred dollars, to indemnify him for his ransom from captivity among the Algerines and as a full compensation for his services as interpreter to the Algerine mission.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER XXXVIII.

An ACT erecting Louisiana into two territories, and providing for the temporary government thereof.

Lands south of the Mississippi Territory in Louisiana made the territory of Orleans.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi territory, and of an east and west line to commence on the Mississippi river, at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession, shall constitute a territory of the United States, under the name of the territory of Orleans; the government whereof shall be organised and administered as follows :

The Executive power—How constituted.

The governor's powers, duties and authority.

Sec. 2. The executive power shall be vested in a governor, who shall reside in the said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander in chief of the militia of the said territory; shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the President of the United States thereon, shall be made known; and to appoint and commission all officers civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law. He shall take care that the laws be faithfully executed.

Sec. 3. A secretary of the territory shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States, whose duty it shall be, under the direction of the governor, to record and preserve all the papers and proceedings of the executive, and all the acts of the governor and legislative council, and transmit authentic copies of the proceedings of the governor in his executive department, every six months, to the President of the United States. In case of the vacancy of the office of governor, the government of the said territory shall devolve on the secretary.

A Secretary to be appointed

In case of vacancy, the government to devolve upon him.

Sec. 4. The legislative powers shall be vested in the governor, and in thirteen of the most fit and discreet persons of the territory, to be called the legislative council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year at least, in the said territory, and hold no office of profit under the territory or the United States. The governor, by and with advice and consent of the said legislative council, or of a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burthen, or disability, on account of his religious opinions, professions or worship; in all which he shall be free to maintain his own, and not burthened for those

A legislative council to be appointed by the President :

The governor with the advice and consent of the council, may alter or repeal laws, &c. Legislative powers of the council :

No law to be valid that is repugnant to the constitution &c. of the United States : —to be a perfect equality and freedom in religious matters,

Laws to be published: and from time to time to be reported to the President, who is to lay them before Congress, for their approbation.

Governor and council to have no control over the primary disposal of the soil, nor to tax the lands of the United States, nor to decide upon interfering land claims.

Governor may convene and prorogue the council: Made his duty to obtain information concerning the people, &c. of Louisiana, and report it to the President.

Judicial arrangement for the territory.

of another. The governor shall publish throughout the said territory, all the laws which shall be made, and shall from time to time, report the same to the President of the United States, to be laid before Congress; which if disapproved of by Congress, shall thenceforth be of no force. The governor or legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to land within the said territory. The governor shall convene and prorogue the legislative council, whenever he may deem it expedient. It shall be his duty to obtain all the information in his power, in relation to the customs, habits, and dispositions of the inhabitants of the said territory, and communicate the same from time to time, to the President of the United States.

Sec. 5. The judicial power shall be vested in a superior court, and in such inferior courts, and justices of the peace, as the legislature of the territory may from time to time establish. The judges of the superior court and the justices of the peace, shall hold their offices for the term of four years. The superior court shall consist of three judges, any one of whom shall constitute a court; they shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all those which are capital; and original and appellate jurisdiction in all civil cases of the value of one hundred dollars. Its sessions shall commence on the first Monday of every month, and continue till all the business depending before them shall be disposed of. They shall appoint their own clerk. In all criminal prosecutions which are capital, the trial shall be

by a jury of twelve good and lawful men of the vicinage; and in all cases criminal and civil in the superior court, the trial shall be by a jury, if either of the parties require it. The inhabitants of the said territory shall be entitled to the benefits of the writ of habeas corpus; they shall be bailable, unless for capital offences where the proof shall be evident, or the presumption great; and no cruel and unusual punishments shall be inflicted.

Inhabitants of the territory entitled to the benefit of the writ of habeas corpus--bailable but in certain cases, and exempt from all cruel and unusual punishments.

Sec. 6. The governor, secretary, judges, district attorney, marshal, and all general officers of the militia, shall be appointed by the President of the United States, in the recess of the Senate; but shall be nominated at their next meeting for their advice and consent. The governor, secretary, judges, members of the legislative council, justices of the peace, and all other officers, civil and of the militia, before they enter upon the duties of their respective offices, shall take an oath or affirmation to support the constitution of the United States, and for the faithful discharge of the duties of their office; the governor, before the President of the United States, or before a judge of the supreme or district court of the United States, or before such other person as the President of the United States shall authorise to administer the same; the secretary, judges, and members of the legislative council, before the governor; and all other officers before such persons as the governor shall direct. The governor shall receive an annual salary of five thousand dollars; the secretary of two thousand dollars; and the judges of two thousand dollars each; to be paid quarter yearly out of the revenues of impost and tonnage, accruing within the said territory.

Governor, &c. may be appointed by the President, in the recess of the Senate; but in that case he must nominate them at the next meeting of the Senate:

Governor, &c. to take an oath of office, and one to support the constitution.

By whom the oaths must be administered.

Salaries and compensation of the Governor, &c.

The members of the legislative council shall receive four dollars each per day, during their attendance in council.

Certain acts of Congress to be in force in the territory.

Sec. 7. *And be it further enacted*, That the following acts, that is to say :

An act for the punishment of certain crimes against the United States.

An act, in addition to an act, for the punishment of certain crimes against the United States.

An act to prevent citizens of the United States from privateering against nations in amity with, or against citizens of the United States.

An act for the punishment of certain crimes therein specified.

An act respecting fugitives from justice, and persons escaping from service of their masters.

An act to prohibit the carrying on the slave trade from the United States to any foreign place or country.

An act to prevent the importation of certain persons into certain states, where by the laws thereof, their admission is prohibited.

An act to establish the post-office of the United States.

An act further to alter and establish certain post roads, and for the more secure carriage of the mail of the United States.

An act for the more general promulgation of the laws of the United States.

An act, in addition to an act, entitled an act for the more general promulgation of the laws of the United States.

An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose.

An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees.

An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned.

An act, supplementary to an act, entitled, an act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned ; and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.

An act providing for salvage in cases of recapture.

An act respecting alien enemies.

An act to prescribe the mode in which the public acts, records, and judicial proceedings in each state shall be authenticated, so as to take effect in every other state.

An act for establishing trading houses with the Indian tribes.

An act for continuing in force a law, entitled, an act for establishing trading houses with the Indian tribes. And

An act making provision relative to rations for Indians, and to their visits to the seat of government, shall extend to, and have full force and effect in the above mentioned territories.

Sec. 8. There shall be established in the said territory a district court, to consist of one judge, who shall reside therein, and be called the district judge, and who shall hold, in the city of Orleans, four sessions annually ; the

District Court of the United States created in the territory, the Court to consist of one Judge.

Sessions and jurisdiction of the Court.

first to commence on the third Monday in October next, and the three other sessions, progressively, on the third Monday of every third calendar month thereafter. He shall in all things, have and exercise the same jurisdiction and powers, which are by law given to, or may be exercised by the judge of Kentucky district; and shall be allowed an annual compensation of two thousand dollars, to be paid quarter yearly out of the revenues of impost and tonnage accruing within the said territory. He shall appoint a clerk for the said district, who shall reside, and keep the records of the court, in the city of Orleans, and shall receive for the services performed by him, the same fees to which the clerk of Kentucky district is entitled for similar services.

A Clerk to be appointed: His fees and emoluments.

An attorney and a marshal to be also appointed.

Their compensation.

There shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid six hundred dollars, annually, as a full compensation for all extra services. There shall also be appointed a marshal for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees to which marshals in other districts are entitled for similar services; and shall moreover be paid two hundred dollars, annually, as a compensation for all extra services:

How juries are to be selected.

Sec. 9. All free male white persons, who are house keepers, and who shall have resided one year, at least, in the said territory, shall be qualified to serve as grand or petit jurors, in the courts of the said territory; and they shall, until the legislature thereof shall otherwise direct, be selected in such manner as the judges of the said courts, respectively, shall

prescribe, so as to be most conducive to an impartial trial, and to be least burthensome to the inhabitants of the said territory.

Sec. 10. It shall not be lawful for any person or persons to import or bring into the said territory, from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves. And every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave so imported or brought, shall thereupon become entitled to, and receive his or her freedom. It shall not be lawful for any person or persons to import or bring into the said territory, from any port or place within the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves, which shall have been imported since the first day of May, one thousand seven hundred and ninety-eight, into any port or place within the limits of the United States, or which may hereafter be so imported, from any port or place without the limits of the United States; and every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought from without the United States the sum of three hundred dollars, one moiety

Importation of slaves forbidden under a penalty.

Importation of slaves brought to the United States since May, one thousand seven hundred and ninety-eight forbidden under a penalty.

No slaves to be brought into the territory but by citizens of the United States, bona fide owners of them at their removal.

for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and no slave or slaves shall directly or indirectly be introduced into said territory, except by a citizen of the United States, removing into said territory for actual settlement, and being at the time of such removal bona fide owner of such slave or slaves; and every slave imported or brought into the said territory, contrary to the provisions of this act, shall thereupon be entitled to, and receive his or her freedom.

Certain laws of the territory declared in force.

Sec. 11. The laws in force in the said territory, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force, until altered, modified, or repealed by the legislature.

The remaining part of Louisiana made a separate district.

Sec. 12. The residue of the province of Louisiana, ceded to the United States, shall be called the District of Louisiana, the government whereof shall be organized and administered as follows:

The executive power of Indiana extended to this district, and the legislative also.

The executive power now vested in the governor of the Indiana territory, shall extend to, and be exercised in the said District of Louisiana. The governor and judges of the Indiana territory shall have power to establish, in the said district of Louisiana, inferior courts, and prescribe their jurisdiction and duties, and to make all laws which they may deem conducive to the good government of the inhabitants thereof: *Provided however*, That no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint or disability on account of his religious opinions, profession, or worship; in all of which he shall be free to maintain

Proviso.

his own, and not burthened for those of another: *And provided also*, That in all criminal prosecutions, the trial shall be by a jury of twelve good and lawful men of the vicinage, and in all civil cases of the value of one hundred dollars, the trial shall be by jury, if either of the parties require it. The judges of the Indiana territory, or any two of them, shall hold annually two courts within the said district, at such place as will be most convenient to the inhabitants thereof in general, shall possess the same jurisdiction they now possess in the Indiana territory, and shall continue in session until all the business depending before them shall be disposed of. It shall be the duty of the secretary of the Indiana territory to record and preserve all the papers and proceedings of the governor, of an executive nature, relative to the district of Louisiana, and transmit authentic copies thereof every six months to the President of the United States. The governor shall publish throughout the said district, all the laws which may be made as aforesaid and shall, from time to time report the same to the President of the United States, to be laid before Congress, which, if disapproved of by Congress, shall thenceforth cease, and be of no effect.

The said district of Louisiana shall be divided into districts by the governor, under the direction of the President, as the convenience of the settlements shall require, subject to such alterations hereafter as experience may prove more convenient. The inhabitants of each district, between the ages of eighteen and forty-five shall be formed into a militia, with proper officers, according to their num-

Proviso.

The judges to hold two annual sessions of the district court in the Indiana territory.

The secretary of the territory to keep a record of Executive proceedings and transmit copies to the President.

Laws to be published by the President, and copies to be sent to the President, for the sanction of Congress.

District of Louisiana to be subdivided.

Militia formed out of the inhabitants of the particular districts.

Officers to be
appointed &c.

bers, to be appointed by the governor, except the commanding officer, who shall be appointed by the President, and who whether a captain, a major or a colonel, shall be the commanding officer of the district, and as such, shall, under the governor, have command of the regular officers and troops in his district, as well as of the militia, for which he shall have a brevet commission, giving him such command, and the pay and emoluments of an officer of the same grade in the regular army; he shall be specially charged with the employment of the military and militia of his district, in cases of sudden invasion or insurrection, and until the orders of the governor can be received, and at all times with the duty of ordering a military patrol, aided by militia if necessary, to arrest unauthorised settlers in any part of his district, and to commit such offenders to jail to be dealt with according to law.

Laws now in
force in the
District of
Louisiana, not
inconsistent
with this act,
continued in
force.

Sec. 13. The laws in force in the said district of Louisiana, at the commencement of this act, and not inconsistent with any of the provisions thereof, shall continue in force until altered, modified or repealed by the governor and judges of the Indiana territory, as aforesaid.

Certain grants
for lands in the
territories ceded
to the
United States
declared null
and void.

Sec. 14. *And be it further enacted*, That all grants for lands within the territories ceded by the French Republic to the United States, by the treaty of the thirtieth of April, in the year one thousand eight hundred and three the title whereof was, at the date of the treaty of St Ildefonso, in the crown, government or nation of Spain, and every act and proceeding subsequent thereto, of whatsoever nature, towards the obtaining any grant, title,

or claim to such lands, and under whatsoever authority transacted, or pretended, be, and the same are hereby declared to be, and to have been from the beginning, null, void, and of no effect in law or equity: *Provido.* Nevertheless, That any thing in this section contained shall not be construed to make null and void any bona fide grant, made agreeably to the laws, usages and customs of the Spanish government to an actual settler on the lands so granted, for himself, and for his wife and family; or to make null and void any bona fide act or proceeding done by an actual settler agreeably to the laws, usages and customs of the Spanish government, to obtain a grant for lands actually settled on by the person or persons claiming title thereto, if such settlement in either case was actually made prior to the twentieth day of December, one thousand eight hundred and three; *Provido.* And provided further, That such grant shall not secure to the grantee or his assigns more than one mile square of land together with such other and further quantity as heretofore hath been allowed for the wife and family of such actual settler, agreeably to the laws, usages and customs of the Spanish government.—And that if any citizen of the United States, or other person, shall make a settlement on any lands belonging to the United States, within the limits of Louisiana, or shall survey, or attempt to survey, such lands, or to designate boundaries by marking trees, or otherwise, such offender shall, on conviction thereof, in any court of record of the United States, or the territories of the United States, forfeit a sum not exceeding one thousand dollars, and suffer imprisonment not exceeding twelve months; and it shall, moreover, be

lawful for the President of the United States to employ such military force as he may judge necessary to remove from lands belonging to the United States any such citizen or other person, who shall attempt a settlement thereon.

President authorised to enter into certain agreements with the Indian Tribes, owning lands on the East side of the Mississippi.

Sec. 15. The President of the United States is hereby authorised to stipulate with any Indian tribes owning lands on the east side of the Mississippi, and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and settle thereon; but in such stipulation, the said tribes shall acknowledge themselves to be under the protection of the United States, and shall agree that they will not hold any treaty with any foreign power, individual state, or with the individuals of any state or power; and that they will not sell or dispose of the said lands, or any part thereof, to any sovereign power, except the United States, nor to the subjects or citizens of any other sovereign power, nor to the citizens of the United States. And in order to maintain peace and tranquility with the Indian tribes who reside within the limits of Louisiana, as ceded by France to the United States, the act of congress, passed on the thirtieth day of March, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," is hereby extended to the territories erected and established by this act; and the sum of fifteen thousand dollars of any money in the treasury not otherwise appropriated by law is hereby appropriated to enable the President of the United States, to effect the object expressed in this section.

An act of Congress to regulate trade &c. &c. and to preserve peace on the frontiers extended to the territory ceded by France to the United States,

Sec. 16. The act, passed on the thirty-first day of October, one thousand eight hundred and three, entitled "An act to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, and for the temporary government thereof," shall continue in force until the first day of October next, any thing therein to the contrary notwithstanding; on which said first day of October, this act shall commence, and have full force, and shall continue in force for and during the term of one year, and to the end of the next session of Congress which may happen thereafter.

Limitation of a former and the commencement of this act.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XXXIX.

An ACT in addition to "An act for fixing the military peace establishment of the United States."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be appointed, in addition to the surgeon's mates provided for by the "act fixing the military peace establishment of the United States," as many surgeon's mates, not exceed-

More surgeon's mates may be appointed.

ing six, as the President of the United States may judge necessary, to be attached to garrisons or posts, agreeably to the provision of the said act.

An equivalent in malt liquors or low wines for whiskey &c. may be furnished.

Sec. 2. *And be it further enacted*, That an equivalent in malt liquor or low wines, may be supplied the troops of the United States, instead of the rum, whiskey or brandy which, by the said act, is made a component part of a ration, at such posts and garrisons, and at such seasons of the year, as, in the opinion of the President of the United States, may be necessary for the preservation of their health.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XL.

An ACT in addition to the act, entitled "An act for the punishment of certain crimes against the United States."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person, not being an owner, who shall, on the high seas, wilfully and corruptly cast away, burn, or otherwise destroy any ship or other vessel unto which he belongeth, being the property of any citizen or citizens of the United States, or procure the same to be done, and

Punishment to a person other than the owner who shall cast away &c. a vessel at sea.

being thereof lawfully convicted, shall suffer death.

Sec. 2. *Be it further enacted*, That if any person shall, on the high seas, wilfully and corruptly cast away, burn or otherwise destroy any ship or vessel of which he is owner, in part or in whole, or in any wise direct or procure the same to be done, with intent or design to prejudice any person or persons that hath underwritten, or shall underwrite any policy or policies of insurance thereon, or if any merchant or merchants that shall load goods thereon, or of any other owner or owners of such ship or vessel, the person or persons offending therein, being thereof lawfully convicted, shall be deemed and adjudged guilty of felony, and shall suffer death.

Punishment to the owner for the like offence.

Sec. 3. *And be it further enacted*, That any person or persons guilty of any crime arising under the revenue laws of the United States, or incurring any fine or forfeiture by breaches of the said laws, may be prosecuted, tried and punished, provided the indictment or information be found at any time within five years after committing the offence or incurring the fine or forfeiture, any law or provision to the contrary notwithstanding.

Persons may be tried and punished for crimes under the Revenue laws in five years from the time of commission.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XLI.

An ACT for the relief of the heirs of John Habersham.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers of the treasury in settling the accounts of John Habersham, late collector of the port of Savannah, be authorised to allow a charge of one thousand one hundred and eleven dollars, and sixteen cents, being the balance of the additional duty of ten per cent. on goods, wares, and merchandise imported in foreign ships; but which, in the commencement of the execution of the law of one thousand seven hundred and ninety, for the collection of duties on imports and tonnage, was not duly collected by him, owing to the distance which deprived him of early instructions from the treasury department; and also the further sum of one thousand dollars being the amount of a draft of Edward Price, factor of the United States for establishing trade with the Creek Indians, for supplies advanced to the said factor, which has not heretofore been credited on his account.

The officers of the Treasury to allow certain charges in his favor.

NATHL. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XLII.

AN ACT for the relief of the legal representatives of David Valenzin, deceased; and for other purposes.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of enabling the secretary of the navy to restore to the legal representatives of David Valenzin, deceased, the value of the property captured from him in the Mediterranean by the American squadron, in the year one thousand eight hundred and three, a sum not exceeding two thousand six hundred and sixty five dollars, and seventy cents, be, and the same hereby is appropriated out of any monies in the treasury, not otherwise appropriated: *Provided*, That the value of the said property shall be first duly ascertained by the proper accounting officers: *And provided also*, That the person or persons applying therefor, shall exhibit due proof of his or their being the true legal representative or representatives of the said David Valenzin.

A sum of money appropriated for the representatives of Valenzin.

Proviso.

Proviso.

Sec. 2. *And be it further enacted*, That the secretary of the navy be, and he hereby is authorised and directed to cause to be liquidated and paid the claims of those individuals who contributed to the maintenance and support of the said David Valenzin, during his imprisonment, and who have defrayed the expenses of his interment; and that for this purpose, a sum not exceeding five hundred dollars be, and the

same hereby is appropriated out of any monies in the treasury, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER XLIII.

AN ACT to make further appropriations for the purpose of extinguishing the Indian claims.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum not exceeding fifteen thousand dollars, be appropriated to defray the expense of such treaty or treaties as the President of the United States shall deem it expedient to hold with the Indians, south of the river Ohio, for the purpose of extinguishing Indian claims to any lands lying within the limits of the United States ; and that the compensation to be allowed to any of the commissioners who may be appoint-

ed for negotiating such treaty or treaties shall not exceed, exclusive of travelling expenses, the rate of six dollars per day, during the time of actual service of such commissioner.

Sec. 2. *And be it further enacted*, That the sum aforesaid shall be paid out of any monies in the treasury of the United States, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED

TH: JEFFERSON.

CHAPTER XLIV.

AN ACT to authorise the adjournment of district courts by marshals, in certain cases.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in case of the inability of the judge of any district court to attend on the day appointed for holding a special or an adjourned district court, such court may, by virtue of a

written order from the judge thereof, directed to the marshal of the district, be adjourned by the marshal to the next stated term of said court, or to such day prior thereto, as in the said order shall be appointed.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED

TH : JEFFERSON.

CHAPTER XLV.

AN ACT for the relief of Moses Young.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the accounting officers of the treasury be authorised and directed to liquidate the accounts of Moses Young, for services rendered the United States, as agent of claims at Madrid, from the date of his appointment by Mr. Humphreys, then minister of the United States at the court of Spain, until the time he ceased to act as the private secretary of that minister, at and after the rate of two thousand dollars, per annum;

Provided, That he produce to the accounting officers of the treasury, a certificate from Mr. Humphreys, that he received no pay or emolument from individuals for said services.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED

TH: JEFFERSON.

CHAPTER XLVI.

AN ACT further to protect the commerce and seamen of the United States against the Barbary powers.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of defraying the expenses of equipping, officering, manning, and employing such of the armed vessels of the United States, as may be deemed requisite by the President of the United States, for protecting the commerce and seamen thereof, and for carrying on warlike operations against the regency of Tripoli, or any other

An additional ad valorem duty imposed for defraying expenses in relation to the Barbary states.

Upon goods imported after the 30th June next.

Distinct account of the duties imposed by this act: proceeds to be called the "Mediterranean fund:" when the duties cease.

of the Barbary powers, which may commit hostilities against the United States, and for the purpose also of defraying any other expenses incidental to the intercourse with the Barbary powers, or which are authorised by this act: a duty of two and an half per centum ad valorem, in addition to the duties now imposed by law, shall, be laid, levied, and collected upon all goods, wares and merchandise, paying a duty ad valorem, which shall after the thirtieth day of June next, be imported into the United States from any foreign port or place: and an addition of ten per centum shall be made to the said additional duty in respect to all goods, wares and merchandise imported in ships or vessels not of the United States: and the duties imposed by this act shall be levied and collected in the same manner, and under the same regulations and allowances as to drawbacks, mode of security and time of payment respectively, as are already prescribed by law in relation to the duties now in force on the articles on which the said additional duty is laid by this act.

Sec. 2. *And be it further enacted*, That a distinct account shall be kept of the duties imposed by this act, and the proceeds thereof shall constitute a fund, to be denominated "The Mediterranean Fund," and shall be applied solely to the purposes designated by this act: and the said additional duty shall cease and be discontinued at the expiration of three months after the ratification by the President of the United States, of a treaty of peace with the regency of Tripoli; unless the United States should then be at war with any other of the

Barbary powers, in which case the said additional duty shall cease and be discontinued at the expiration of three months after the ratification by the President of the United States of a treaty of peace with such power : *Provided however*, That the said additional duty shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to the day on which the said duty is to cease.

Sec. 3. *And be it further enacted*, That the President of the United States, if he shall deem it necessary, shall be, and he is hereby authorised to cause to be purchased or built, officered, manned and equipped, two vessels of war, to carry not more than sixteen guns each, and likewise to hire or accept on loan in the Mediterranean sea, as many gun boats as he may think proper.

President authorised to employ a naval force in the Mediterranean.

Sec. 4. *And be it further enacted*, That a sum not exceeding one million of dollars, to be paid out of any money in the treasury not otherwise appropriated, shall be, and the same is hereby appropriated (in addition to the sum heretofore appropriated for the same objects) for the purpose of defraying any of the expenses authorised by this act, which may be incurred during the present year : or if necessary the President of the United States is hereby authorised to borrow the said sum, or such part thereof as he may think proper, at a rate of interest not exceeding six per centum per annum, from the bank of the United States, which is hereby empowered to lend the same, or from any other body or bodies politic or corporate, or from any person or persons ; and

An additional sum appropriated.

President authorised to borrow it.

Bank of the United States authorised to lend.

so much of the proceeds of the duties laid by this act, as may be necessary, shall be and is hereby pledged for replacing in the treasury, the said sum of one million of dollars, or so much thereof as shall have been thus expended, and for paying the principal and interest of the said sum, or so much thereof as may be borrowed, pursuant to the authority given in this section : and an account of the several expenditures made under this act, shall be laid before Congress during their next session.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 25, 1804.

APPROVED

TH : JEFFERSON.

CHAPTER XLVII.

*AN ACT in addition to an act, intituled
“ An act to establish an uniform rule of
naturalization ; and to repeal the acts
heretofore passed on that subject.”*

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That any alien, being a free white person, who was residing within the limits and under

the jurisdiction of the United States, at any time between the eighteenth day of June, one thousand seven hundred and ninety eight, and the fourteenth day of April, one thousand eight hundred and two, and who has continued to reside within the same, may be admitted to become a citizen of the United States, without a compliance with the first condition specified in the first section of the act, entitled " An act to establish an uniform rule of naturalization ; and to repeal the acts heretofore passed on that subject."

Certain aliens
permitted to
become citi-
zens of the
United States

Sec. 2. *And be it further enacted*, That when any alien who shall have complied with the first condition specified in the first section of the said original act, and who shall have pursued the directions prescribed in the second section of the said act, may die, before he is actually naturalized, the widow and the children of such alien shall be considered as citizens of the United States, and shall be entitled to all rights and privileges as such, upon taking the oaths prescribed by law.

After an alien
shall have
complied
with certain
directions his
widow and
children made
citizens of
the United
States.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH : JEFFERSON.

S

CHAPTER XLVIII.

AN ACT in relation to the Navy Pension Fund.

Money arising from captures, not already paid over, to be paid to the treasurer.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the money accruing or which has already accrued to the United States, from the capture of prizes authorised by law and which has not already been paid to the secretary of the navy, the secretary of the treasury, and the secretary of war, as commissioners of the navy pension fund; shall be paid to the treasurer of the United States.

How the money is to be disbursed by the treasurer.

Sec. 2. *And be it further enacted,* That it shall be the duty of the treasurer of the United States, to receive all the money so accruing, and to disburse the same pursuant to warrants from the secretary of the navy, countersigned by the accountant of the navy; and a distinct quarterly account of the monies thus received and disbursed shall be rendered by the said treasurer to the accounting officers of the treasury, in the same manner as is provided for other public monies received by him.

A distinctly quarterly account of it to be rendered.

Accountant of the navy to receive and settle all navy pension accounts, and report the same.

Sec. 3. *And be it further enacted,* That it shall be the duty of the accountant of the navy to receive and settle all accounts whatever, in relation to the navy pension fund, and report from time to time, all such settlements, as shall have been made by him, for the inspection and revision of the accounting officers of the treasury, in the same manner as in other cases of public accounts.

Sec. 4. *And be it further enacted*, That the comptroller of the treasury shall be fully authorised and empowered to direct suits for the recovery of any sums now due, or which may hereafter be due to the United States, for prizes as aforesaid, and to prosecute the same in the name of the United States, in the same manner as in other cases for the recovery of monies due to the United States.

Comptroller authorised to institute suits for prize money.

Sec. 5. *And be it further enacted*, That the commissioners of the navy pension fund be, and they are hereby authorised to appoint a secretary, who shall perform all such duties in relation to the fund, as they shall require of him; and shall receive for his services, a salary not exceeding two hundred and fifty dollars per annum, to be paid quarter yearly at the treasury of the United States, and charged to the same fund.

Commissioners of the navy pension fund may appoint a secretary. His duties and emoluments.

Sec. 6. *And be it further enacted*, That the commissioners of the navy pension fund be, and they are hereby authorised and directed to make such regulations, as may to them appear expedient, for the admission of persons on the roll of navy pensioners, and for the payment of the pensions.

Commissioners to make rules and regulations for the admission of pensioners.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER XLIX.

AN ACT to erect a light house at the mouth of the Mississippi river, and also a light house at or near the pitch of Cape Lookout, in the state of North Carolina; and a beacon at the north point of Sandy Hook.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That under the direction of the President of the United States, it shall be the duty of the secretary of the treasury, to provide by contract, to be approved by the President for building a light house at the mouth of the river Mississippi, on such site as the President of the United States may deem most proper for the convenience and accommodation thereof.

Sec. 2. *And be it further enacted,* That as soon as land sufficient shall be obtained at a reasonable price for the purpose and the jurisdiction of the land so to be obtained shall have been ceded to the United States by the state of North Carolina it shall be the duty of the secretary of the treasury, to provide by contract, for building a light house on or near the pitch of Cape Lookout in the said state of North Carolina which contract shall be approved by the President of the United States; and it shall be the duty of the said secretary, to furnish the said light houses on Cape Lookout and the mouth of the Mississippi with all necessary supplies,

Light house
to be built at
the Missis-
sippi under
contract to be
approved by
the President

Light house
to be built at
or near the
pitch of Cape
Lookout in
North Caro-
lina, under
contract to be
approved by
the President

Jurisdiction
of the soil to
be first con-
veyed to the
United States

Light houses
at both places
to be provid-
ed with keep-
ers, &c. &c.

and also to agree for the salaries or wages of the person or persons who may be appointed by the President for the superintendence and care of the same. And the President is hereby authorised to make such appointments.

Sec. 3. *And be it further enacted*, That the sum of twenty five thousand dollars be and is hereby appropriated for the purpose of defraying the charges and expenses which shall accrue in consequence of the two first sections of this act, to be paid out of any monies in the treasury not otherwise appropriated.

Appropriation for the foregoing purposee.

Sec. 4. *And be it further enacted*, That it shall be the duty of the secretary of the treasury, as soon as the fee of the soil shall have vested in the United States to cause a beacon to be erected on the north point of Sandy Hook and the sum of two thousand dollars out of any unappropriated monies is hereby appropriated for that purpose.

A beacon to be erected at the north point of Sandy Hook.

Appropriation.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER L.

*AN ACT supplementary to the act, entitled
 “ An act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President, in case of vacancies in the offices both of President and Vice President.”*

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever the amendment proposed during the present session of Congress, to the constitution of the United States, respecting the manner of voting for President and Vice President of the United States, shall have been ratified by the legislatures of three fourths of the several states, the secretary of state shall forthwith cause a notification thereof to be made to the executive of every state, and shall also cause the same to be published, in at least one of the newspapers printed in each state, in which the laws of the United States are annually published.—The executive authority of each state shall cause a transcript of the said notification to be delivered to the electors appointed for that purpose, who shall first thereafter meet in such state, for the election of a President and Vice President of the United States: and whenever the said electors shall have received the said transcript of notification, or whenever they shall meet more than five days subsequent to the publication of the ratification of the above mentioned amendment, in one of the

The secretary of state to notify the executives of the proposed amendment when ratified and to have it published.

Transcripts of the notification to be delivered to the electors; who are to give their votes conformably with the amendment.

newspapers of the state, by the secretary of state, they shall vote for President and Vice President of the United States, respectively, in the manner directed by the above mentioned amendment, and having made and signed three certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one, of the votes given for President, and the other, of the votes given for Vice President: they shall seal up the said certificates, certifying on each, that lists of all the votes of such state given for President, and of all the votes given for Vice President, is contained therein, and shall cause the said certificates to be transmitted and disposed of, and in every other respect act in conformity with the provisions of the act to which this is a supplement. And every other provision of the act to which this is a supplement, and which is not virtually repealed by this act, shall extend and apply to every election of a President and Vice President of the United States, made in conformity to the above mentioned amendment to the constitution of the United States.

And whereas, the above mentioned amendment may be ratified by the legislatures of three fourths of the states, and thereupon become immediately valid, to all intents and purposes, as part of the constitution, on a day so near the day fixed by law for the meeting of the electors in the several states, that the electors shall not in every state be apprised of the said ratification, and may vote in a manner no longer conformable with the constitution, as amended, whereby several states might be de-

How certificates of their votes are to be made, and forwarded.

Provisions of a former, not inconsistent with this act extended to all future election.

prived of their vote in the election of a President and Vice President: for remedy whereof.

Electors to vote by distinct ballots for President and Vice President, according to the 1st. sec. of the 2d. art. of the constitution, and according to the proposed amendment: if they be uninformed at the time of the fate of the amendment :—

And to make returns accordingly.

Which of these are to be opened and inspected.

Sec. 2. *Be it further enacted*, That the electors who shall be appointed in each state for the election of a President and Vice President of the United States, shall at every such election, unless they shall have received a transcript of the notification of the ratification of the above mentioned amendment to the constitution, or unless they shall meet more than five days subsequent to the publication of the said ratification by the secretary of state, in one of the newspapers of the state, vote for President and Vice President of the United States, in the following manner, that is to say: they shall vote for two persons as President and Vice President, in conformity with the first section of the second article of the constitution. And in other respects act in conformity with the provisions of the act to which this act is a supplement; and they shall likewise vote for one person as President, and for one person as Vice President, in conformity with the above mentioned amendment of the constitution; and in other respects act in conformity with the provisions of the first section of this act. But those certificates only, of votes given for President and Vice President of the United States, shall be opened by the President of the Senate, for the purpose of being counted which shall contain the list or lists of votes given in conformity with the constitution, as in force on the day fixed by law for the meeting of the electors, by whom the said votes shall have been given.

Sec. 3. *And be it further enacted*, That whenever, by the provisions of the second section of this act, it shall be the duty of the electors for any state, to vote in conformity, both with the constitution, and of the proposed amendment thereto, the executive authority of such state shall cause six lists of the names of the electors for the state, to be made and certified, and to be delivered to the said electors, on or before the day fixed by law for them to meet and vote for President and Vice President ; and the said electors shall enclose one of the said lists in each of the certificates by them made and sealed, in conformity with the provisions of this act, and of the act to which this is a supplement.

In case of a vote under the constitution of the U. States, as it now stands, and one according to the amendment proposed, lists of the electors to be given to the electors, and one of these lists forwarded.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 26, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER LI.

AN ACT to repeal a part of the act, intituled "An act supplementary to the act concerning Consuls and Vice Consuls, and for the further protection of American seamen."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That

T

Repeal of
part of a for-
mer act.

the ninth section of the act, intituled "An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," passed the twenty eighth of February, one thousand eight hundred and three, be, and the same is hereby repealed.

Powers of attorney for the transfer of stock and receipt of interest, in other respects formal, not to be affected by the want of consular certificates.

Sec. 2. *And be it further enacted*, That all powers of attorney for the transfer of any stock of the United States, or for the receipt of interest thereon, executed in a foreign country, since the thirtieth day of June one thousand eight hundred and three, according to the forms in use at the treasury of the United States prior to the said thirtieth day of June, one thousand eight hundred and three, shall be valid to all intents and purposes : any provision in the aforesaid section hereby repealed to the contrary notwithstanding.

NATH^L. MACON,

Speaker of the House of Representatives,

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH : JEFFERSON,

CHAPTER LII.

AN ACT to amend the act, intituled "An act concerning the registering and recording of ships and vessels."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That

no ship or vessel shall be entitled to be registered as a ship or vessel of the United States, or if registered, to the benefits thereof, if owned in whole or in part by any person naturalized in the United States, and residing for more than one year in the country from which he originated, or for more than two years in any foreign country, unless such person be in the capacity of a consul or other public agent of the United States: *Provided*, That nothing herein contained shall be construed to prevent the registering anew of any ship or vessel before registered, in case of a *bona fide* sale thereof to any citizen or citizens resident in the United States: *And provided also*, That satisfactory proof of the citizenship of the person on whose account a vessel may be purchased, shall be first exhibited to the collector, before a new register shall be granted for such vessel.

No ship or vessel to be registered as a vessel of the U. States, if owned by persons residing in foreign countries a certain length of time.

Proviso.

Proviso.

Sec. 2. *And be it further enacted*, That the proviso in the act, intituled "An act in addition to an act, intituled, "An act concerning the registering and recording of ships and vessels," passed the twenty seventh of June, one thousand seven hundred and ninety seven, shall be taken and deemed to extend to the executors or administrators of the owner or owners of vessels, in the said proviso described.

Proviso in a former act extended to the representatives of a deceased owner of a ship, therein described.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON,

CHAPTER LIII.

AN ACT supplementary to the act, intituled "An act providing for a Naval Peace Establishment, and for other purposes."

Captain of the navy to be attached to the navy yard and vessels in ordinary at Washington. His duties, pay and emoluments.

Who else are to be attached to the navy yard and vessels in ordinary at Washington.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorised to attach to the navy yard at Washington, and to the frigates and other vessels laid up in ordinary in the Eastern Branch, a captain of the navy, who shall have the general care and superintendence of the same; and shall perform the duties of agent to the navy department, and shall be entitled to receive for his services, the pay and emoluments of a captain commanding a squadron on separate service. And the President of the United States is hereby further authorised to attach permanently to the said navy yard and vessels, one other commissioned officer of the navy, who shall receive for his services, the pay and emoluments of a captain commanding a twenty gun ship, one surgeon and one surgeon's mate of the navy, who shall be severally allowed for their services, the same pay, rations and emoluments, as are allowed to a surgeon, and to a surgeon's mate in the army of the United States; one sailing master, one head carpenter, one plumber, one head block maker, one head cooper, two boatswains, two gunners, one sail maker, one store keeper, one purser, one clerk of the yard, and also, such seamen and marines,

as in the opinion of the President shall be deemed necessary : *Provided*, That the number of seamen or marines, shall not at any time be greater than what is at present authorised by the act to which this is a supplement.

Proviso.

Sec. 2. *And be it further enacted*, That that part of the act to which this is a supplement, which attaches to each frigate laid up in ordinary, one sailing master, one boatswain, one gunner, one carpenter, and one cook, one searjeant or corporal of marines and eight marines; and to the large frigates twelve, and to the small frigates ten seamen, and which declares that the sailing master shall have the care of the ship, and shall execute such duties of a purser as may be necessary, shall be, and hereby is repealed.

Repeal of a part of a former act.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LIV.

AN ACT supplementary to the act, intituled "An act concerning the city of Washington."

RE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That

Commence-
ment of the
compensa-
tions and al-
lowances
established
by an act of
Congress,
concerning
city of Wash-
ington.

Allowance to
the surveyor.

Superintend-
ant autho-
rised to pay
the compen-
sations and to
defray other
expenses:

And to settle
with P. C.
L'Enfant:

Out of what
fund these
compensa-
tions, &c. are
to be paid.

the several compensations and allowances established by the act, intituled, "An act concerning the city of Washington," shall be compensated from the first day of June, one thousand eight hundred and two, being the time when the services, so compensated and allowed, commenced under the authority of the President of the United States.

Sec. 2. *And be it further enacted,* That the surveyor of the said city shall receive as a compensation for his services an allowance of three dollars per day.

Sec. 3. *And be it further enacted,* That the superintendant of the city of Washington be, and he hereby is authorised to pay the said compensations and allowances, from the said first day of June, one thousand eight hundred and two, in conformity with the provision of the said recited act, until Congress shall otherwise direct; and also to pay and discharge all expenses of an incidental nature, which have been or may be incurred in the discharge of the functions of his office and the office of surveyor, which shall be approved by the President of the United States.

Sec. 4. *And be it further enacted,* That the said superintendant be, and he hereby is authorised and directed to settle and pay the claim of Peter Charles L'Enfant, for his services whilst employed by the late board of commissioners, in the manner, and on the terms heretofore proposed by the said commissioners.

Sec. 5. *And be it further enacted,* That the several expenses authorised by this act, shall be paid and discharged out of any funds of the city of Washington, in posses-

sion of the superintendant, which are not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LV.

*AN ACT concerning the public buildings
at the city of Washington.*

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That fifty thousand dollars shall be, and the same is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated to be applied under the direction of the President of the United States, in proceeding with the public buildings at the city of Washington, and in

making such necessary improvements and repairs thereon, as he shall deem expedient.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LVI.

AN ACT supplementary to the act, intituled " An act to prescribe the mode in which the public acts, records and judicial proceedings in each state shall be authenticated so as to take effect in every other state."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, all records and exemplifications of office books, which are or may be kept in any public office of any state, not appertaining to a court, shall be proved or admitted in any other court or office in any other state, by the attestation of the keeper of the said records

or books, and the seal of his office thereto annexed, if there be a seal, together with a certificate of the presiding justice of the court of the county or district, as the case may be, in which such office is or may be kept; or of the governor, the secretary of state, the chancellor or the keeper of the great seal of the state, that the said attestation is in due form, and by the proper officer; and the said certificate, if given by the presiding justice of a court, shall be farther authenticated by the clerk or prothonotary of the said court, who shall certify under his hand and the seal of his office, that the said presiding justice is duly commissioned and qualified; or if the said certificate be given by the governor, the secretary of state, the chancellor or keeper of the great seal, it shall be under the great seal of the state in which the said certificate is made. And the said records and exemplifications, authenticated as aforesaid, shall have such faith and credit given to them in every court and office within the United States, as they have by law or usage in the courts or offices of the state from whence the same are, or shall be taken.

Mode of authentication.

Its effect.

Sec. 2. *And be it further enacted*, That all the provisions of this act, and the act to which this is a supplement, shall apply as well to the public acts, records, office books, judicial proceedings, courts and offices of the respective territories of the United States, and countries subject to the jurisdiction of the United States, as to the public acts, records, office books, judicial

To what acts the provisions of this law shall apply.

proceedings, courts and offices of the several states.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER LVII.

AN ACT for imposing more specific duties on the importation of certain articles; and also, for levying and collecting light money on foreign ships or vessels; and for other purposes.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June next, the following articles, in addition to those already exempted from duty, shall and may be imported free from any duty, namely, rags of linen, of cotton, of woollen and of hempen cloth; bristles of swine, regulus of antimony, unwrought clay, unwrought burr stones, and the bark of the cork tree.

Additional
articles ex-
empted
from duty.

Additional
duties im-
posed.

Sec. 2. *And be it further enacted, That from and after the thirtieth day of June next, the duties now in force upon the arti-*

cles herein after enumerated and described, at their importation into the United States, shall cease; and that, in lieu thereof, there shall be thenceforth laid, levied and collected upon the said articles, at their said importation, the several and respective rates or duties following, that is to say:

On foreign caught dried fish, fifty cents per quintal: Specific articles and rates.

On foreign caught pickled fish, as follows, to wit;

On salmon, one hundred cents, per barrel; on mackarel, sixty cents, per barrel; on all other pickled fish, forty cents, per barrel:

On cables, tarred cordage, white lead, red lead, almonds, currants, prunes and plums, figs, raisins imported in jars and boxes, and muscadell raisins, two cents per pound:

On all other kinds of raisins, one cent and a half per pound:

On tallow, yellow ochre in oil, anchors and sheet iron, one cent and a half, per pound:

On Spanish brown, dry yellow ochre, slit and hoop iron, one cent, per pound:

On starch, three cents per pound:

On hair powder, glue, and seines, four cents, per pound:

On pewter plates and dishes, four cents, per pound:

On untarred cordage, two cents and a half, per pound:

On quicksilver, six cents per pound:

On Chinese cassia and gun powder, four cents, per pound:

On cinnamon and cloves, twenty cents, per pound:

On mace, one dollar and twenty five cents, per pound :

On nutmegs, fifty cents, per pound :

On black glass quart bottles, sixty cents per groce :

On window glass, as follows :—On all not above eight inches by ten, one dollar and sixty cents per hundred square feet; not above ten inches by twelve, one dollar and seventy five cents per hundred square feet; and on all above ten inches by twelve, two dollars and twenty five cents, per hundred square feet :

On segars, two dollars, per thousand :

On kid and Morocco shoes, fifteen cents a pair :

On foreign lime, fifty cents per cask containing sixty gallons; and on Sicily wine, thirty cents, per gallon.

10 per cent.
additional *ad*
valorem duty
upon impor-
tations in fo-
reign vessels
of the speci-
fied goods.

Sec. 3. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties above specified and imposed in respect to all such goods, wares and merchandise as aforesaid, as shall, after the said thirtieth day of June, be imported in ships or vessels not of the United States.

Manner and
terms of col-
lection.

Sec. 4. *And be it further enacted*, That the duties laid by this act, shall be levied and collected in the same manner, and under the same regulations and allowances as to drawbacks, mode of security, and time of payment respectively, as the several duties now in force on the respective articles herein before enumerated : *Provided however*, That no drawbacks shall be allowed on the exportation of foreign fish, or fish oil, or of playing cards.

Proviso.

Sec. 5. *And be it further enacted*, That all duties and drawbacks which, by virtue of this act, shall be payable and allowable on any specific quantity of goods, wares and merchandise, shall be deemed to apply, in proportion to any quantity greater or less than such specific quantity.

Duties and drawbacks to apply to any specific quantity of goods in a rateable proportion.

Sec. 6. *And be it further enacted*, That a duty of fifty cents per ton, to be denominated "light money," shall be levied and collected on all ships or vessels not of the United States, which, after the aforesaid thirtieth day of June next, may enter the ports of the United States: *Provided however*, That nothing in this act shall be so construed as to contravene any provision of the treaty or conventions concluded between the United States of America and the French Republic, on the thirtieth day of April, one thousand eight hundred and three: *And provided also*, That the said light money shall be levied and collected in the same manner, and under the same regulations, as the tonnage duties now imposed by law.

"Light money" to be levied on foreign vessels.

Proviso.

Proviso.

Sec. 7. *And be it further enacted*, That the person exercising the powers which, under the Spanish government, were vested in the intendant of the province of Louisiana, shall, until a district court of the United States shall be established in the territory of Orleans, in conformity with the provisions of the act, entitled "An act erecting Louisiana into two territories; and providing for the temporary government thereof," have and exercise, in all cases whatever arising within the said territory under the laws regulating and providing for the collection of duties on imports and tonnage,

The person exercising the duties of the late Intendant of Louisiana to have the same jurisdiction in certain cases with the district courts of the United States.

Fines, penalties or forfeitures, by whom they may be remitted, &c. &c.

or under any other revenue laws of the United States, the same jurisdiction and powers which, by law, are given to the district and circuit courts of the United States.

And the powers to remit fines, penalties or forfeitures, and to remove disabilities, which, by law, are vested in the secretary of the treasury, may and shall, in all cases of such fines, penalties, forfeitures or disabilities incurred within the territory of Orleans, and until a governor of the said territory shall be appointed and shall enter into the functions of his office, be exercised by the person exercising the powers which, under the Spanish government, were vested in the governor of the province of Louisiana; and the said powers to remit fines, penalties or forfeitures, and to remove disabilities, may and shall, in like manner, be exercised by the governor of the said territory, from the time when he shall enter into the functions of his office, in conformity with the provisions of the said act, until the end of the next session of Congress, and no longer.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LVIII.

AN ACT relative to the compensations of certain officers of the customs and to provide for appointing a surveyor in the district therein mentioned.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the last day of June, in the present year, the salaries heretofore allowed, by law, to the several collectors of the customs, for the districts of Bath, Portsmouth, Newport, Middletown, New Haven, Delaware, Richmond, Wilmington, in North Carolina, Newbern and Edenton, shall cease and be discontinued. And there shall be allowed and paid, annually, to the officers of the customs hereafter named, the following sums respectively, viz :

Salaries of certain officers of the customs augmented.

To the collector for the district of Natchez, in addition to the fees and other emoluments of office, the sum of two hundred and fifty dollars ; and to each of the surveyors at New London, Middletown, New Haven and Alexandria, in addition to the allowances already established by law, the sum of fifty dollars.

Allowance to the collector of Natchez, and to the surveyors of New London, Middletown, New Haven and Alexandria.

Sec. 2. *And be it further enacted*, That from and after the said last day of June, in lieu of the commissions heretofore allowed by law, there shall be allowed to the collectors of the customs for Wilmington, in North Carolina, and Newbern, two and a half per cent :

To the collectors of Wilmington and Newbern, in North Carolina.

To the collectors for Petersburg and Richmond, two per cent :

Petersburg and Richmond.

Kennebunk
and New
London.

To the collectors for Kennebunk and New London, one and three quarters per cent :

Bath.

To the collector for Bath, one and an half per cent :

New Haven
and Middle-
town.

To the collectors for New Haven and Middletown, one and three eighths per cent :

Providence
and Alexan-
dria.

To the collectors for Providence and Alexandria, one and one quarter per cent :

Newburyport

To the collector for Newburyport, one and one eighth per cent :

Portland.

To the collector for Portland, three quarters of one per cent :

Salem and
Beverly.

And to the collectors for Salem and Beverly, five eighths of one per cent on all monies by them respectively received on account of the duties arising on goods, wares and merchandise imported into the United States, and on the tonnage of ships and vessels.

Surveyor to
be appointed
for Marble-
head.
Allowance
to him.

Sec. 3. *And be it further enacted*, That there shall be appointed a surveyor for the district of Marblehead, to reside at Marblehead; who shall be entitled to receive, in addition to the other emoluments allowed by law, a salary of one hundred dollars, annually.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LIX.

AN ACT for the appointment of an additional judge for the Mississippi territory; and for other purposes.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be appointed an additional judge for the Mississippi territory, who shall reside at or near the Tombigbee settlement, and who shall possess and exercise, within the district of Washington, as fixed and ascertained by an act of general assembly of the Mississippi territory, intituled, "An act for the more convenient organization of the courts of the said territory," the jurisdiction heretofore possessed and exercised by the superior court of the said territory within the said district of Washington, and to the exclusion of the original jurisdiction of the said superior court within the same: *Provided always*, That the said superior court shall have full power and authority to issue writs of error to the court established by this act and to hear and determine the same, when sitting, for the district of Adams, as fixed and ascertained by the act of the general assembly of the Mississippi territory, herein before mentioned.

An additional judge to be appointed for the Mississippi territory His place of residence. His duties and authorities.

Proviso.

Sec. 2. *Be it further enacted*, That the said superior court are hereby authorised, upon the reversal of a judgment of the court established by this act, to render such judgment as the said court ought to have rendered or passed, except where the reversal

Upon the reversal of a judgment of the court established by this act, the judgment of the superior court to be

final: but in certain cases, when the cause shall be remanded to the court below.

Plaintiffs in error, other than executors or administrators, to give security, &c. &c.

Proceedings commenced in the superior court of Washington district transferred to that established by this act.

Officers to issue and execute process and to record the proceedings authorised to act for both courts.

Sessions of the court.

Places and times of holding them.

is in favor of the plaintiff in the original suit, and the debt or damages to be assessed are uncertain, in which case the cause shall be remanded in order to a final determination.

Sec. 3. *Be it further enacted*, That when any person, not being an executor or administrator, applies for a writ of error, such writ of error shall be no stay of proceedings in the court to which it issues, unless the plaintiff in error shall give security, to be approved of by a judge of the said superior court, that the plaintiff in error shall prosecute his writ to effect, and pay the condemnation money and all costs, or otherwise abide the judgment in error, if he fail to make his plea good.

Sec. 4. *Be it further enacted*, That all pleas, process and proceedings whatever, which may have been commenced in the said superior court within the aforesaid district of Washington, shall be, and the same are hereby transferred to the court established by this act, and the officers appointed to issue or execute the process of the said superior court within the district of Washington, and to record the proceedings of the same, are hereby authorised and required to issue and execute the process of the court established by this act, and to record the proceedings thereof.

Sec. 5. *Be it further enacted*, That the court established by this act, shall hold two terms in each and every year, at the place where the courts for Washington county, within the said territory, shall be held, to commence on the days following, to wit: on the first Monday in May and September, an-

nually ; and shall then and there proceed to hear and determine the pleas, process and proceedings depending before them, in the same manner as the said superior court within the district of Washington aforesaid, might or could have done, in case this act had not been passed.

Sec. 6. *And be it further enacted*, That the judge to be appointed by virtue of this act, shall receive the same salary, and payable in the same manner, which is established by law for judges of the said superior court of the Mississippi territory.

Salary, &c. &c.
of the judge.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LX.

AN ACT to provide for a more extensive distribution of the laws of the United States.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary for the department of state, be,

400 copies of
the laws of
the United

States, to be procured by the secretary of state, and 100 of them to be distributed, in proportions, in the territory of Orleans and district of Louisiana.

One thousand copies printed at the close of each session of Congress to be reserved for future disposition. Distribution of the remainder to be extended to the different territories

Laws of the present and future sessions to be published in the newspapers in the new territories.

Appropriation to defray the expense of carrying

and he hereby is authorised and empowered to procure four hundred copies of the laws of the United States: one hundred copies of which shall be distributed in just proportions in the territory of Orleans and district of Louisiana, the other three hundred copies to be reserved for the disposal of Congress.

Sec. 2. *And be it further enacted*, That one thousand copies of the laws of the United States which shall be printed at the close of each session shall be reserved for the disposal of Congress: and that the distribution of the remainder shall be extended to the territory of Orleans and district of Louisiana, and to such other territories as are or may hereafter be established, in the same manner and proportion as is already provided by law for distributing them among the several states and territories: and the secretary of state shall cause to be published in one newspaper in each of the territories of the United States, where newspapers are printed, the laws which have passed during the present session, and which may hereafter be passed by Congress.

Sec. 3. *And be it further enacted*, That there shall be transmitted, by the secretary of state, to each member of the Senate and House of Representatives, and to each territorial delegate, as soon as may be, after the expiration of each session of Congress, a copy of all the laws which shall have been passed at such session.

Sec. 4. *And be it further enacted*, That the sum of two thousand dollars be, and the same hereby is appropriated for defraying the expense authorised by this

act, payable out of any money in the treasury, not otherwise appropriated. this act into effect.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH : JEFFERSON.

CHAPTER LXI.

AN ACT supplementary to the act, intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That persons claiming lands in the Mississippi territory, by virtue of any British or Spanish grant, or by virtue of the three first sections of the act to which this is a supplement, or of the articles of agreement and cession with the state of Georgia, may, after the last day of March, in the year one thousand eight hundred and four, and until the last day of November, then next fol-

Notice to be given to the register of the land office by persons claiming lands in the Mississippi territory west of Pearl river, and their claims to be recorded.

Proviso.

lowing, give notice in writing, of their claims, to the register of the land office, for the lands lying west of Pearl river, and have the same recorded in the manner prescribed by the fifth section of the act to which this is a supplement: *Provided however*, That where lands are claimed by virtue of a complete Spanish or British grant in conformity with the articles of agreement and cession between the United States, and the state of Georgia, it shall not be necessary for the claimant to have any other evidence of his claim recorded, except the original grant or patent, together with the warrant or order of survey and the plot; but all the subsequent conveyances of deeds shall be deposited with the register to be by him laid before the commissioners when they shall take the claim into consideration: and the powers vested by law in the commissioners appointed for the purpose of ascertaining the claims to lands lying west of Pearl river, shall, in every respect extend and apply to claims which may be made by virtue of this section; and the same proceedings shall thereupon be had as are prescribed by the act aforesaid, in relation to claims which shall have been exhibited on or before the last day of March, in the year one thousand eight hundred and four.

Commissioners authorised to adjourn from time to time.

Proviso.

Sec. 2. *And be it further enacted*, That the commissioners aforesaid, appointed to adjust the claims to lands lying west of Pearl river, shall have power to adjourn from time to time, and for such time as they may think fit: *Provided however*, That they shall meet on the first day of December, in the year one thousand eight hun-

dred and four, and shall not afterwards adjourn for a longer time than three days, nor until they shall have completed the business for which they were appointed: *And provided also*, That nothing contained in this act, nor in that to which this is a supplement, shall be construed to prevent the said commissioners, nor those appointed to adjust the claims to lands lying east of Pearl river, from acting and deciding at any time, on any claim which has been exhibited in the manner prescribed by law, although the evidence of the same may not, at that time, have been transcribed on the books of the register.

Proviso.

Sec. 3. *And be it further enacted*, That when any Spanish grant, warrant or order of survey, shall be produced to either of the said boards of commissioners, for lands which were not, at the date of such grant, warrant or order of survey, or within one year thereafter, inhabited, cultivated, or occupied by, or for the use of the grantee; or whenever either of the said boards shall not be satisfied, that such grant, warrant or order of survey, did issue, at the time when the same bears date, the said commissioners shall not be bound to consider such grant, warrant or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper: And the said boards shall make a full report to the secretary of the treasury, to be by him laid before Congress, for their final decision of all claims grounded on such grants, warrants or orders of survey, as may have been disallowed

What evidence may be required by the boards of commissioners concerning Spanish grants.

Boards of commissioners to make reports to the secretary of the treasury in certain cases.

by the said boards, on suspicion of their being antedated, or otherwise fraudulent.

Agent to be appointed by the secretary of the treasury.

Sec. 4. *And be it further enacted*, That the secretary of the treasury, shall be, and he is hereby authorised to employ an agent, whose compensation shall not exceed one thousand five hundred dollars in full for all his services, for the purpose of appearing before the said commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as he may deem fraudulent and unfounded. And each of the said boards of commissioners shall have the same powers to compel the attendance of witnesses, as are now vested in the courts of the United States.

Board of commissioners for adjusting claims to land, south of Pearl river, authorised to employ an assistant clerk and a translator of the Spanish language.

Sec. 5. *And be it further enacted*, That the board of commissioners, appointed to adjust the claims to lands lying west of Pearl river, shall be authorised to employ an assistant clerk, and also a translator of the Spanish language, to assist them in the dispatch of the business which may be brought before them, and for the purpose of recording Spanish grants, deeds or other evidences of claims on the register's books; the said translator shall receive for the recording done by him, the fees already provided by law, and may be allowed, not exceeding fifty dollars, for every month he shall be employed, provided that the whole compensation, other than that arising from fees, shall not exceed six hundred dollars: the assistant clerk shall be allowed a sum not exceeding five hundred dollars for his services; and each of the commissioners of the said board, in addition to the compensa-

tion now fixed by law, shall be allowed six dollars for every day he shall attend on the board, after the last day of November, in the year one thousand eight hundred and four : *Provided*, That this additional compensation shall not exceed two thousand dollars, for each of the said commissioners.

Proviso.

Sec. 6. *And be it further enacted*, That from and after the first day of April, in the year one thousand eight hundred and four, the surveyor of the lands of the United States south of the state of Tennessee, shall receive an annual compensation of two thousand dollars, in lieu of the annual compensation now fixed by law. And the lands claimed by virtue of Spanish grants, legally and fully executed, and the titles to which were confirmed by the articles of agreement and cession between the United States and the state of Georgia, shall be surveyed in the manner prescribed by the act to which this is a supplement, at the expense of the United States; any thing in the said act to the contrary, notwithstanding.

Salary of the surveyor of lands south of Tennessee.

Lands claimed under Spanish grants, the titles to which are not confirmed, to be surveyed at the expense of the United States

Sec. 7. *And be it further enacted*, That the tract of country lying north of the Mississippi territory, and south of the state of Tennessee, and bounded on the east by the state of Georgia, and on the west by Louisiana, shall be, and the same is hereby annexed to, and made a part of the Mississippi territory.

Lands north of the Mississippi territory and south of the state of Tennessee, and bounded on Georgia and Louisiana, made part of the Mississippi territory.

Sec. 8. *And be it further enacted*, That so much of the eighth section of an act, intituled "An act regulating grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee," as provides, "that no certificate

Repeal of part of a former act.

Proviso.

Commissioners to make a report to the secretary of the treasury in a certain case.

Appropriation for carrying this act into effect.

Part of the 12th section of the act to which this is a supplement suspended.

shall be granted for lands lying east of the Tombigby river," be, and the same hereby is repealed: *Provided*, That no certificate shall be granted for any lands to which the Indian title has not been extinguished.

Sec. 9. *And be it further enacted*, That the commissioners appointed in pursuance of the act aforesaid, be, and they are hereby authorised and required to make, on or before the first day of December next, a full report to the secretary of the treasury, of all claims that have been, or may be laid before them, for lands held by warrant of survey and improvement, in cases where the claimants were minors, and not heads of families, at the time such warrants were issued, with the circumstances which occasioned the issuing of such warrants, and the validity which has been considered as attached to the same.

Sec. 10. *And be it further enacted*, That for the purpose of carrying this act into effect, a sum not exceeding twenty thousand dollars, shall be, and the same is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

Sec. 11. *And be it further enacted*, That the execution of so much of the twelfth section of the act to which this is a supplement, as excepts "such town lots, not exceeding two, in the town of Natchez, and such an out lot adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the governor of the Mississippi territory, for the use of Jefferson college," be, and the same is hereby suspended until the end of the next session of Congress.

Sec. 12. *And be it further enacted*, That transcripts of the records of the British province of West Florida, to claims for land therein, and which have been delivered to the government of the United States, may be produced as evidence, and shall be entitled to the same weight in any court of the United States, as if the same had been delivered or shall be delivered, to either of the registers of the land offices in the Mississippi territory, before the last of March, one thousand eight hundred and four, any thing in this act, or in the fifth section of the act to which this is a supplement, to the contrary notwithstanding.

Transcripts of the British records of West Florida to be evidence in certain cases.

Sec. 13. *And be it further enacted*, That the sum of three thousand dollars be, and the same is hereby appropriated, for the purpose of extending the external commerce, and exploring the limits of the United States, in the new acquired territory of Louisiana, out of any monies in the treasury not otherwise appropriated.

Appropriation for extending the external commerce, and exploring the limits of the United States in Louisiana.

Sec. 14. *And be it further enacted*, That major general La Fayette be, and he is hereby authorised and empowered to locate and survey the lands allowed him by the fourth section of an act, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act, regulating the grants of land appropriated for military services, and for the society of United Brethren for propagating the gospel among the Heathen, and for other purposes,'" on any lands the property of the United States, in the territory of Orleans; and on presenting the surveys of the said land to the secretary of the

Major general La Fayette authorised to make his location upon public lands in the territory of Orleans.

treasury, the President of the United States is hereby authorised to issue letters patent to the said major general La Fayette for the quantity of lands allowed by the said act.

NATH^l. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

March 27, 1804.

APPROVED,

TH: JEFFERSON.

RESOLUTION to instruct the joint committee of inrolled Bills to wait on the President of the United States, respecting a variance between an engrossed and inrolled Bill.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, That the joint committee for inrolled bills be instructed to wait on the President of the United States, and lay before him the engrossed bill, intituled "An act for the relief of the captors of the Moorish armed ships Meshouda and Mirboha," with the several amendments thereto, as the same was finally passed by both Houses of Congress; and to state the variance between the said

engrossed bill and the inrolment thereof, as approved by the President, and to request that he will cause the said inrolled bill to be returned to this House, in which it originated, for the purpose of rendering the said bill conformable with the engrossed bill and the amendments thereto, as passed by the two Houses of Congress.

NATH^L. MACON,

Speaker of the House of Representatives.

JESSE FRANKLIN,

President of the Senate, pro tempore.

ATTEST,

JOHN BECKLEY,

Clerk of the House of Representatives.

SAMUEL A. OTIS,

Secretary of the Senate.

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA,
A Proclamation :

WHEREAS a certain treaty and two several conventions between the United States of America and the French Republic were concluded and signed by the plenipotentiaries of the United States and the French Republic, duly and respectively authorised for that purpose, which treaty and conventions are, word for word, as follows ; viz :

TREATY
BETWEEN
THE UNITED STATES OF AMERICA
AND
THE FRENCH REPUBLIC :

Desire of the
parties to re-
move all
sources of

THE President of the United States of America, and the First Consul of the French Republic, in the name of the French people, desiring to remove all source of misunderstanding relative to objects of discussion mentioned in the second and fifth arti-

cles of the convention of the 8th Vendemaire, an. 9 (30th September, 1800) relative to the rights claimed by the United States, in virtue of the treaty concluded at Madrid the 27th October 1795, between his Catholic Majesty and the said United States, and willing to strengthen the union and friendship which at the time of the said convention was happily re-established between the two nations, have respectively named their plenipotentiaries, to wit, the President of the United States of America, by and with the advice and consent of the Senate of the said states, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said states, near the government of the French Republic; and the First Consul, in the name of the French people, citizen Francis Barbe Marbois, minister of the public treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

ARTICLE I. Whereas, by the article the third of the treaty concluded at St. Ildelfonso, the 9th Vendemaire, an. 9 (1st October, 1800,) between the First Consul of the French Republic and his Catholic Majesty, it was agreed as follows: "His Catholic Majesty promises and engages on his part, to cede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein relative to his royal highness the duke of Parma, the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France pos-

misunderstanding relative to the construction of the treaty of Madrid, &c. &c.

And to strengthen the union and harmony of the two nations.

Ministers plenipotentiary named.

Retrocession from Spain to France stated

Consideration.

Title of
France cited.

Cession from
France to the
United States

Islands, &c.
&c. included
in the cession
by the pre-
ceding article

Inhabitants
of the ceded
territory in-
corporated in
the union, up-
on certain
principles.

sessed it; and such as it should be after the treaties subsequently entered into between Spain and other states." *And where- as*, in pursuance of the treaty, and particularly of the third article, the French Republic has an incontestible title to the domain and to the possession of the said territory: The First Consul of the French Republic desiring to give to the United States a strong proof of his friendship, doth hereby cede to the said United States, in the name of the French Republic, forever and in full sovereignty, the said territory with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French Republic in virtue of the above mentioned treaty, concluded with his Catholic Majesty.

ART. II. In the cession made by the preceding article are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private property. The archives, papers and documents, relative to the domain and sovereignty of Louisiana, and its dependencies, will be left in the possession of the commissaries of the United States, and copies will be afterwards given in due form to the magistrates and municipal officers, of such of the said papers and documents as may be necessary to them.

ART. III. The inhabitants of the ceded territory shall be incorporated in the union of the United States, and admitted as soon as possible, according to the principles of

the Federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States; and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

ART. IV. There shall be sent by the government of France a commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of his Catholic majesty the said country and its dependencies, in the name of the French republic, if it has not been already done, as to transmit it in the name of the French republic to the commissary or agent of the United States.

A Commissary to be sent from France to receive the province of Louisiana, and to pass it over to the U. S.

ART. V. Immediately after the ratification of the present treaty by the President of the United States, and in case that of the First Consul shall have been previously obtained, the commissary of the French republic shall remit all the military posts of New-Orleans, and other parts of the ceded territory, to the commissary or commissaries named by the President to take possession; the troops, whether of France or Spain, who may be there, shall cease to occupy any military post from the time of taking possession, and shall be embarked as soon as possible, in the course of three months after the ratification of this treaty.

When the Commissaries of the U. S. shall have possession.

ART. VI. The United States promise to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until, by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.

U. S. to execute certain Indian treaties.

The vessels of France and Spain laden with the productions of their respective countries entitled to the same privileges for a limited time as vessels of the U. S. from those countries in the province of Louisiana.

ART. VII. As it is reciprocally advantageous to the commerce of France and the United States to encourage the communication of both nations for a limited time in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed on; it has been agreed between the contracting parties, that the French ships coming directly from France or any of her colonies, loaded only with the produce or manufactures of France or her said colonies; and the ships of Spain coming directly from Spain or any of her colonies, loaded only with the produce or manufactures of Spain or her colonies, shall be admitted during the space of twelve years in the ports of New-Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain, or any of their colonies, without being subject to any other or greater duty on merchandise, or other or greater tonnage than those paid by the citizens of the United States.

No other vessels entitled to the same privilege during the said period.

During the space of time above mentioned, no other nation shall have a right to the same privileges in the ports of the ceded territory: the twelve years shall commence three months after the exchange of ratifications, if it shall take place in France, or three months after it shall have been notified at Paris to the French government, if it shall take place in the United States; it is however well understood that the object of the above article is to favor the manufactures, commerce, freight and navigation of France and of Spain, so far as relates to the importations that the French and Spanish shall make into the said

ports of the United States, without in any sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandize of the United States, or any right they may have to make such regulations.

ART. VIII. In future and forever after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favoured nations in the ports above mentioned.

Afterwards the vessels of France to be upon the footing of those of the most favored nations.

ART. IX. The particular convention signed this day by the respective ministers, having for its object to provide for the payment of debts due to the citizens of the United States by the French Republic, prior to the 30th of September, 1800, (8th Vendemaire, 9,) is approved, and to have its execution in the same manner as if it had been inserted in the present treaty, and it shall be ratified in the same form and in the same time, so that the one shall not be ratified distinct from the other.

A particular Convention providing for the payments of debts to citizens of the U. S. to be ratified when this is.

Another particular convention signed at the same date as the present treaty relative to a definitive rule between the contracting parties is in the like manner approved, and will be ratified in the same form, and in the same time, and jointly.

Another one relative to a definitive rule between the parties to be ratified at the same time.

ART. X. The present treaty shall be ratified in good and due form, and the ratification shall be exchanged in the space of six months after the date of the signature by the ministers plenipotentiary, or sooner, if possible.

In what time the ratifications must be exchanged.

IN FAITH WHEREOF, the respective plenipotentiaries have signed these articles in the French and English languages; declaring ne-

vertheless that the present treaty was originally agreed to in the French language ; and have thereunto put their seals.

Done at Paris, the tenth day of Floreal, in the eleventh year of the French Republic, and the 30th April 1803.

(Signed) ROBERT R. LIVINGSTON, (L. S.)

JAMES MONROE, (L. S.)

F. BARBE MARBOIS. (L. S.)



T R A I T E

ENTRE

LA REPUBLIQUE FRANCAISE

ET

LES ETATS-UNIS D'AMERIQUE.



LE PREMIER CONSUL de la République Française, au nom du Peuple Français et le PRESIDENT des Etats-Unis d'Amérique désirant prévenir tout sujet de mésintelligence relativement aux objets de discussion mentionnés dans les Articles 2 et 5 de la Convention du (8 Vendémiaire an. 9, 30 Septembre 1800,) et relativement aux droits réclamés par les Etats-Unis en vertu du Traité conclu à Madrid le 27 Octobre 1793 entre S. M. Ca-

tholique et les dits Etats-Unis : et voulant fortifier de plus en plus les rapports d'union et d'amitié qui, à l'époque de la dite convention, ont été heureusement rétablis entre les deux Etats, ont respectivement nommé pour Plénipotentiaires, Savoir: Le Premier Consul au nom du peuple Francais, le Citoyen Francois Barbé-Marbois, Ministre du Trésor Public ; et le Président des Etats-Unis d'Amerique, par et avec l'avis et le consentement du Sénat des dits Etats, Robert R. Livingston Ministre Plenipotentiaire des Etats-Unis, et James Munroe, Ministre Plenipotentiaire et envoyé extraordinaire des dits Etats, auprès du gouvernement de la République Francaise: Lesquels après avoir fait l'échange de leurs pleins-pouvoirs sont convenus des Articles suivants :

ART. I. Attendu que par l'article 3 du Traité conclu à St. Idelfonse le 9 Vendémiaire an. 9, (1^{er} Octobre, 1800,) entre le Premier Consul de la République Francaise et Sa Majesté Catholique, il a été convenu ce qui suit :

“ Sa Majesté Catholique promet et s'engage de son coté, à rétrocéder à la République Francaise, six mois après l'exécution pleine et entiere des conditions et stipulations ci-dessus, relatives à son altesse Royale le Duc de Parme, la Colonie ou Province de la Louisiane, avec la même étendue qu'elle a actuellement entre les mains de l'Espagne, et qu'elle avait lorsque la France la possédait, et telle qu'elle doit être d'après les traités passés subséquemment entre l'Espagne et d'autres Etats.”

Et comme par suite du dit traité, et spécialement du dit article 3, la République Francaise

a un titre incontestable au domaine et à la possession du dit territoire, le Premier Consul de la République désirant de donner un témoignage remarquable de son amitié aux dits Etats-Unis, il leur fait, au nom de la République Française, cession, à toujours et en pleine souveraineté, du dit territoire, avec tous ses droits et appartenances, ainsi et de la manière qu'ils ont été acquis par la République Française, en vertu du traité sus dit, conclu avec sa Majesté Catholique.

ART. II. Dans la cession faite par l'article précédent, sont compris les isles adjacentes dépendantes de la Louisiane, les emplacements et places publiques, les terrains vacans, tous les bâtimens publics, fortifications, cazernes et autres édifices qui ne sont la propriété d'aucun individu. Les archives, papiers et documens directement relatif au domaine et à la souveraineté de la Louisiane et dépendances, seront laissés en la possession des commissaires des Etats-Unis, et il sera, ensuite, remis des expéditions en bonne forme aux magistrats et administrateurs locaux, de ceux des dits papiers et documens qui leur seront nécessaires.

ART. III. Les habitans des territoires cédés seront incorporés dans l'union des Etats-Unis, et admis, aussitôt qu'il sera possible, d'après les principes de la constitution fédérale à la jouissance de tous les droits, avantages et immunités des citoyens des Etats-Unis, et en attendant, ils seront maintenus et protégés dans le jouissance de leurs libertés, propriétés, et dans l'exercice des religions qu'ils professent.

ART. IV. Il sera envoyé de la part du gouvernement Français un Commissaire à la Louisiane, à l'effet de faire tous les actes néces-

saïres, tant pour recevoir des officiers de sa Majesté Catholique, les dits pays, contrées et dépendances, au nom de la République Française, si la chose n'est pas encore faite, que pour les transmettre, au dit nom, aux commissaires ou agens des États-Unis.

ART. V. Immédiatement après la ratification du présent traité par le Président des États-Unis, et dans le cas celle du Premier Consul auroit eu préalablement lieu, le Commissaire de la République Française remettra tous les postes militaires de la Nouvelle Orléans, et autres parties du territoire cédé, au Commissaire ou aux Commissaires nommés par le Président, pour la prise de possession. Les troupes Françaises ou Espagnoles qui s'y trouveront, cesseront d'occuper les postes militaires du moment de la prise de possession, et seront embarquées aussitôt que faire se pourra, dans le courant des trois mois qui suivront la ratification du traité.

ART. VI. Les États-Unis promettent d'exécuter les traités et articles qui pourraient avoir été convenus entre l'Espagne et les tribus et nations Indigènes, jusqu'à ce que, du consentement mutuel des États-Unis, d'une part et des Indigènes, de l'autre, il y ait été substitué tels autres articles qui seront jugés convenables.

ART. VII. Comme il est réciproquement avantageux au commerce de la France et des États-Unis, d'encourager la communication des deux peuples, pour un tems limité, dans les contrées dont il est fait cession, par le présent traité, jusqu'à ce que des arrangemens généraux relatifs au commerce des deux nations, puissent être convenus, il a été arrêté entre les parties contractantes,

que les navires francais, venant directement de France ou d'aucune de ses colonies, uniquement chargés des produits des manufactures de la France et de ses colonies, et les navires Espagnols venant directement des ports d'Espagne, uniquement chargés des produits des manufactures de l'Espagne et de ses dites colonies, seront admis, pendant l'espace de douze années, dans le port de la nouvelle Orléans, et dans tous les autres ports légalement ouverts en quelque lieu que ce soit des territoires cédés; ainsi et de la même manière que les navires des Etats-Unis venant de France et d'Espagne, ou d'aucune de leur colonies, sans être sujets à d'autres ou plus grand droits sur les marchandises, ou d'autres ou plus grands droits du tonnage, que ceux qui sont payés par les citoyens des Etats-Unis— Pendant l'espace de tems ci-dessus mentionné, aucune nation n'aura droit aux mêmes privilèges dans les ports du territoire cédé.

Les douze années commenceront trois mois après l'échange des ratifications, si il a lieu en France, ou trois mois après qu'il aura été notifié à Paris au gouvernement français, s'il a lieu dans les Etats-Unis.

Il est bien entendu que le but du present article est de favoriser les manufactures, le commerce et fret et la navigation de France et de l'Espagne, en ce qui regarde les importations qui seront faites par les francais et par les Espagnols dans les dits ports des Etats-Unis, sans qu'il soit rien innové aux réglemens concernant l'exportation des produits et marchandises des Etats-Unis, et aux droits qu'ils ont de faire les dits réglemens.

ART. VIII. A l'avenir et pour toujours après l'expiration des douze années susdites les navires francais seront traités sur le pied

de la nation la plus favorisée, dans les ports ci-dessus mentionnés.

ART. IX. La Convention particuliere signée aujourd'hui par les Ministres respectifs ayant pour objet de pourvoir au payement des créances dues aux citoyens des États-Unis par la République Française antérieurement au 8 Vendémiaire, an. 9 (30 Septembre, 1800,) est approuvée pour avoir son exécution de la meme manière que si elle était inserée au present traité et elle sera ratifié en la même forme et en même tems en sorte que l'une ne puisse l'être sans l'autre.

Un autre acte particulier signé à la meme date que le present traité relatif à un reglement définitif entre les puissances contraitantes est pareillement approuvé et sera ratifié en la meme forme en meme tems et conjointement.

ART. X. Le present traité sera ratifié en bonne et due forme, et les ratifications seront échangées dans l'espace de six mois après la date de la signature de Plénipotentiaires, ou plutot s'il est possible.

En foi dequoi, les Plénipotentiaires respectifs ont signé les articles ci-dessus tant en langue Française qu' en langue Anglaise declarant néanmoins que le présent traité a été originairement redigé et arrêté en langue Française et ils y ont apposé leur sceau.

Fait à Paris le dixième jour de floréal de l'an onze de la République Française et le trente Avril 1803.

ROBERT R. LIVINGSTON. (L. S.)

JAMES MONROE, (L. S.)

BARBE-MARBOIS. (L. S.)

CONVENTION

BETWEEN THE

UNITED STATES OF AMERICA

AND THE

FRENCH REPUBLIC.



THE President of the United States of America and the First Consul of the French Republic, in the name of the French people, in consequence of the treaty of cession of Louisiana, which has been signed this day, wishing to regulate definitively every thing which has relation to the said cession, have authorised to this effect the plenipotentiaries, that is to say: the President of the United States has, by and with the advice and consent of the Senate of the said states, nominated for their plenipotentiaries, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said United States, near the government of the French Republic; and the First Consul of the French Republic, in the name of the French people, has named as plenipotentiary of the said Republic, the citizen Francis Barbé Marbois; who, in virtue of their full powers, which have been exchanged this day, have agreed to the following articles:

ART. I. The government of the United States engages to pay to the French government, in the manner specified in the following article, the sum of sixty millions of francs, independent of the sum which shall be fixed by another convention for the payment of the debts due by France to citizens of the United States.

ART. II. For the payment of the sum of sixty millions of francs, mentioned in the preceding article, the United States shall create a stock of eleven millions two hundred and fifty thousand dollars, bearing an interest of six per cent. per annum, payable half yearly in London, Amsterdam or Paris, amounting by the half year, to three hundred and thirty seven thousand five hundred dollars, according to the proportions which shall be determined by the French government to be paid at either place: the principal of the said stock to be reimbursed at the treasury of the United States, in annual payments of not less than three millions of dollars each; of which the first payment shall commence fifteen years after the date of the exchange of ratifications: this stock shall be transferred to the government of France, or to such person or persons as shall be authorised to receive it, in three months at most after the exchange of the ratifications of this treaty, and after Louisiana shall be taken possession of in the name of the government of the United States.

It is further agreed, that if the French government should be desirous of disposing of the said stock to receive the capital in Europe, at shorter terms, that its measures for that purpose shall be taken so as to favor, in the greatest degree possible, the credit of the

U. S. engage to pay 60,000,000 francs to France, and to satisfy certain debts to our citizens.

A stock to be created equal to the sixty millions of francs—Interest payable in London, Amsterdam or Paris:

Principal reimbursable at the Treasury of the U. S. in annual payments of not less than three millions: when the first payment shall be made.

If the French government be desirous of selling the stock in Europe, they engage to do it upon the best terms for the U. S.

United States, and to raise to the highest price the said stock.

The value of the dollar of the U. S. referred to, fixed.

ART. III. It is agreed that the dollar of the United States, specified in the present convention, shall be fixed at five francs $\frac{3333}{10000}$ or five livres, eight sous tournois.

When the convention must be ratified and exchanged.

The present convention shall be ratified in good and due form, and the ratifications shall be exchanged in the space of six months to date from this day, or sooner if possible.

IN FAITH OF WHICH, the respective plenipotentiaries have signed the above articles, both in the French and English languages, declaring, nevertheless, that the present treaty has been originally agreed on and written in the French language; to which they have hereto affixed their seals.

DONE at Paris the tenth of Floreal, eleventh year of the French Republic, (30th April, 1803.)

ROBERT R. LIVINGSTON,	(L. S.)
JAMES MONROE,	(L. S.)
BARBE-MARBOIS.	(L. S.)

CONVENTION

ENTRE

LES ETATS-UNIS D'AMERIQUE,

ET

LA REPUBLIQUE FRANCAIS.

Le PRESIDENT des Etat-Unis d'Amérique,
et le PREMIER CONSUL de la République

Francaise, au nom du peuple Francais, par suite du traité de cession de la Louisiane, qui a été signé aujourd'hui, et voulant régler définitivement tout ce qui est relatif à cette affaire, ont autorisé, à cet effet, des Plenipotentiaires, *Savoir* :

Le President des Etats-Unis, par et avec l'avis et le consentement du Senat des dits Etats, a nommé pour leurs Plénipotentiaires Robert R. Livingston, Ministre Plénipotentiaire des Etats-Unis, et James Monroe Ministre Plénipotentiaire et Envoyé extraordinaire des Etats-Unis auprès du gouvernement de la République Francaise, et Le Premier Consul de la République Francaise, au nom du peuple Francais, a nommé pour Plénipotentiaire de la dite République, le citoyen Francois Barbé Marbois ; lesquels en vertu de leurs pleins pouvoirs, donc l'échange a été fait aujourd'hui, sont convenus des articles suivans :

ART. I. Le gouvernement des Etats-Unis s'engager à payer au gouvernement Francais, de la maniere qui sera spécifié en l'article suivant la somme de soixante millions de francs, indépendamment de ce qui sera fixé par une autre convention, pour le payement des sommes dues par la France à des citoyens des Etats-Unis.

ART. II. Le payement des soixante millions de francs mentionnés au précédent article, sera effectué par les Etats-Unis, au moyen de la création d'un fonds de onze millions deux cens cinquante mille piastres, portant un interet de six pour cent, par un payable tous les six mois à Londres, Amsterdam ou Paris, à raison de trois cens trente sept mille cinq cens piastres pour six mois, dans les trois places ci-dessus dites, suivant la proportion qui sera

déterminée par le gouvernement Français. Le principal du dits fonds sera remboursé par le trésor des Etats-Unis, par des payemens annuels, qui ne pourront être d'une somme moindre que trois millions de piastres par année et dont le premier commencera quinze ans après la date de l'échange des ratifications. Ce fonds sera transféré au gouvernement de France, ou à telle personne, ou tel nombre de personnes qu'il chargera de le recevoir, dans les trois mois au plus tard après l'échange des ratifications de ce traité et après la prise de possession de la Louisiane, au nom du gouvernement des Etats-Unis.

Il en est autre convenu que si le gouvernement Français était dans l'intention de disposer des dit fonds, et d'en toucher le capital en Europe, à des époques rapprochées, les opérations qui auront lieu seront conduites de la manière la plus favorable au crédit des Etats-Unis et la plus propre à maintenir la prise avantageux du fonds qui doit être créé.

ART. III. La piastre ayant cours de monnaie dans les Etats-Unis, il est convenu que dans les comptes auxquels la présente convention donnera lieu, le rapport de la dite monnaie avec le franc, sera invariablement fixé à cinq francs $\frac{3333}{10000}$ ou cinq livres huit sols Tournois.

La présente convention sera ratifiée en bonne et due forme, et les ratifications seront échangées dans l'espace de six mois, à dater de ce jour, ou plutôt s'il est possible.

En foi de quoi les plénipotentiaires respectifs ont signé les articles ci-dessus, tant en langue Française qu'en langue Anglaise, déclarant néanmoins que le présent traité a été originellement rédigé et arrêté en langue Française, et ils y ont apposé leurs sceaux.

Fait à Paris, le dixième jour de Floréal de l'an Onze de la République Française et le trente Avril, 1803.

BARBE-MARBOIS,
ROBERT R. LIVINGSTON,
JAMES MONROE.



CONVENTION

BETWEEN THE

UNITED STATES OF AMERICA

AND THE

FRENCH REPUBLIC.



THE President of the United States of America and the First Consul of the French Republic, in the name of the French people, having by a treaty of this date terminated all difficulties relative to Louisiana, and established on a solid foundation the friendship which unites the two nations, and being desirous, in compliance with the second and fifth articles of the convention of the 8th Vendemaire, ninth year of the French Republic (30th September, 1800.) to secure the payment of the sum due by France to the citizens of the United States, have respec-

tively nominated as plenipotentiaries, that is to say : the President of the United States of America, by and with the advice and consent of their Senate, Robert R. Livingston, minister plenipotentiary, and James Monroe, minister plenipotentiary and envoy extraordinary of the said states, near the government of the French Republic ; and the First Consul, in the name of the French people, the citizen Francis Barbe Marbois, minister of the public treasury : who after having exchanged their full powers, have agreed to the following articles :

Debts due from France to citizens of the U S contracted before a certain period, to be paid according to fixed regulations.

ART. I. The debts due by France to citizens of the United States, contracted before the 8th of Vendemaire, ninth year of the French Republic (30th September, 1800) shall be paid according to the following regulations, with interest at six per cent. to commence from the periods when the accounts and vouchers were presented to the French government.

Debts provided for by the preceding article.

ART. II. The debts provided for by the preceding article are those whose result is comprised in the conjectural note annexed to the present convention, and which, with the interest, cannot exceed the sum of twenty millions of francs. The claims comprised in the said note which fall within the exceptions of the following articles, shall not be admitted to the benefit of this provision.

How the said debts are to be paid.

ART. III. The principal and interest of the said debts shall be discharged by the United States, by orders drawn by their minister plenipotentiary on their treasury ; these orders shall be payable sixty days after the exchange of ratifications of the treaty and the conventions signed this day, and after possession

shall be given of Louisiana by the commissioners of France to those of the United States.

ART. IV. It is expressly agreed, that the preceding articles shall comprehend no debts but such as are due to citizens of the United States, who have been and are yet creditors of France, for supplies, for embargoes, and prizes made at sea, in which the appeal has been properly lodged within the time mentioned in the said convention of the 8th Vendemaire, ninth year, (30th September, 1800.)

What debts are comprehended by the preceding articles.

ART. V. The preceding articles shall apply only, 1st, to captures of which the council of prizes shall have ordered restitution, it being well understood that the claimant cannot have recourse to the United States otherwise than he might have had to the government of the French Republic, and only in case of the insufficiency of the captors; 2d. the debts mentioned in the said fifth article of the convention contracted before the 8th Vendemaire, an. 9 (30th September, 1800) the payment of which has been heretofore claimed of the actual government of France, and for which the creditors have a right to the protection of the United States; the said fifth article does not comprehend prizes whose condemnation has been or shall be confirmed: it is the express intention of the contracting parties not to extend the benefit of the present convention to reclamations of American citizens, who shall have established houses of commerce in France, England or other countries than the United States, in partnership with foreigners, and who by that reason and the nature of their commerce ought to be regarded as domiciliated in the places where

To what cases they are particularly to apply.

such houses exist. All agreements and bargains concerning merchandize, which shall not be the property of American citizens, are equally excepted from the benefit of the said convention, saving, however, to such persons their claims in like manner as if this treaty had not been made.

Ministers plenipotentiary of the U. S. to appoint commissioners, to act provisionally.

ART. VI. And that the different questions which may arise under the preceding article may be fairly investigated, the ministers plenipotentiary of the United States shall name three persons, who shall act from the present and provisionally, and who shall have full power to examine, without removing the documents, all the accounts of the different claims already liquidated by the bureaux established for this purpose by the French Republic, and to ascertain whether they belong to the classes designated by the present convention and the principles established in it; or if they are not in one of its exceptions, and on their certificate, declaring that the debt is due to an American citizen or his representative, and that it existed before the 8th Vendemaire, 9th year (30th September, 1800) the creditor shall be entitled to an order on the treasury of the United States, in the manner prescribed by the third article.

To examine the claims prepared for verification, & to certify those which ought to be admitted.

ART. VII. The same agents shall likewise have power, without removing the documents, to examine the claims which are prepared for verification, and to certify those which ought to be admitted by uniting the necessary qualifications, and not being comprised in the exceptions contained in the present convention.

To examine those not pre-

ART. VIII. The same agents shall likewise examine the claims which are not pre-

pared for liquidation, and certify in writing those which in their judgments ought to be admitted to liquidation.

ART. IX. In proportion as the debts mentioned in these articles shall be admitted, they shall be discharged with interest, at six per cent. by the treasury of the United States.

ART. X. And that no debt which shall not have the qualifications above mentioned, and that no unjust or exorbitant demand may be admitted, the commercial agent of the United States at Paris, or such other agent as the minister plenipotentiary of the United States shall think proper to nominate, shall assist at the operations of the bureaux, and co-operate in the examination of the claims; and if this agent shall be of opinion that any debt is not completely proved, or if he shall judge that it is not comprised in the principles of the fifth article above mentioned, and if notwithstanding his opinion, the bureaux established by the French government should think that it ought to be liquidated, he shall transmit his observations to the board established by the United States, who, without removing documents, shall make a complete examination of the debt and vouchers which support it, and report the result to the minister of the United States. The minister of the United States shall transmit his observations, in all such cases, to the minister of the treasury of the French Republic, on whose report the French government shall decide definitively in every case.

The rejection of any claim shall have no other effect than to exempt the United States from the payment of it, the French government reserving to itself the right to decide

pared for liquidation, & to certify such as ought to be liquidated.

Debts admitted to be discharged at the Treasury of the U. S. with interest.

Commercial agent of the U. S. at Paris to assist in the examination of claims, or some other agent, to be nominated by the minister of the U. S. at Paris.

In disagreements concerning claims between the French bureaux and the U. S. agent, the latter is to make report to the minister of the U. S. at Paris:

He is to transmit his observations, in such cases, to the French minister of finance—on whose report the government of France is to act definitively.

The rejection of a claim only

to exempt the
U. S. from
paying it.

All necessary
decisions to be
made in a year
from the
exchange of
ratifications.

Claims for
debts contract-
ed by the
French
government
since 30th
Septemr. 1800
may be pursu-
ed, and the
payment
demanded as
if this conven-
tion had not
been made.

When this
convention
must be ratifi-
ed, and the
ratifications
exchanged.

Originally
agreed on and
written in the
French lan-
guage.

definitively on such claim so far as it concerns itself.

ART. XI. Every necessary decision shall be made in the course of a year, to commence from the exchange of ratifications, and no reclamation shall be admitted afterwards.

ART. XII. In case of claims for debts contracted by the government of France with citizens of the United States since the 8th Vendemaire, ninth year, (30th September, 1800) not being comprised in this convention, may be pursued, and the payment demanded in the same manner as if it had not been made.

ART. XIII. The present convention shall be ratified in good and due form, and the ratifications shall be exchanged in six months from the date of the signature of the ministers plenipotentiary, or sooner if possible.

IN FAITH OF WHICH, the respective Ministers plenipotentiary have signed the above articles both in the French and English languages, declaring nevertheless that the present treaty has been originally agreed on and written in the French language; to which they have hereunto affixed their seals.

DONE at Paris, the tenth day of Floreal, eleventh year of the French Republic, 30th April, 1803.

(Signed)

ROBERT R. LIVINGSTON, (L. S.)

JAMES MONROE, (L. S.)

BARBE MARBOIS, (L. S.)

CONVENTION

ENTRE

LA REPUBLIQUE FRANCAISE

ET

LES ETATS-UNIS D'AMERIQUE.



LE PREMIER CONSUL de la République Française, au nom du peuple Français, et le PRESIDENT des Etats-Unis de l'Amérique, ayant par une traité en date de ce jour, fait cesser toutes les difficultés relatives à la Louisiane, et affermi sur des fondemens solides l'amitié qui unit les deux nations, et voulant en exécution des articles 2 et 5 de la convention du 8 Vendemiaire, an. 9, (30 Septembre, 1800,) assurer le payement des sommes dues par la France aux citoyens des Etats-Unis, ont respectivement nommé pour plénipotentiaires ; *Savoir* : LE PREMIER CONSUL, au nom du peuple Français, le citoyen françois *Barbé-Marbois*, ministre du Trésor public, et LE PRESIDENT des Etats-Unis d'Amérique, par et avec l'avis et le consentement du Sénat des dits Etats, *Robert R. Livingston*, ministre plénipotentiaire des Etats-Unis, et *James Monroe*, ministre plénipotentiaire et envoyé extraordinaire des dits Etats, auprès du

gouvernement de la république Française : lesquels après avoir fait l'échange de leurs pleins-pouvoirs, sont convenus des articles suivans :

ARTICLE I. Les dettes dues par la France aux citoyens des Etats-Unis, contractées avant le 8 Vendémiaire, an. 9 (30 Septembre, 1800,) seront payées conformément aux dispositions suivantes; avec les intérêts à six pour cent, à compter de l'époque où la réclamation et les pièces à l'appui ont été remises au gouvernement Français.

ART. II. Les dettes qui font l'objet du présent article sont celles dont le résultat par appercu est compris dans la note annexée à la présente convention, et qui ne pourront, y compris les intérêts, excéder la somme de vingt-millions.

Les réclamations comprises dans la dite note ne pourront néanmoins être admises qu'autant qu'elles ne seront pas frappées des exceptions mentionnées aux articles suivans.

ART. III. Le principal et les intérêts seront acquittés par les Etats-Unis d'Amérique sur des mandats tirés par le ministre plénipotentiaire des dits Etats-Unis sur leur trésor. Ces mandats seront payables soixante jours après l'échange des ratifications du traité et des conventions signées ce jour, et après la remise qui doit être faite de la Louisiane par le commissaire Français aux commissaires des Etats-Unis.

ART. IV. Il est expressément convenu que les articles précédens ne comprennent que les créances des citoyens des Etats-Unis, ou de leurs représentans, qui ont été et sont encore créanciers de la France pour fournitures, embargos et prises faites à la mer, et réclamées dans le temps nécessaire, et suivant les for-

mes prescrites par la convention du 8 Vendémiaire, an. 9, (30 Septembre, 1800.)

ART. V. Les articles précédens ne seront appliqués, 1°. qu'aux captures dont le conseil des prises aurait ordonné la restitution ou main levée, bien entendu que le réclamant ne pourra avoir recours sur les Etats-Unis pour son payement que de la même manière qu'il l'aurait eu envers le gouvernement Français et seulement en cas d'insuffisance de la part des capteurs ; 2°. Qu'aux dettes mentionnées dans ce même article 5 de la convention, contractées avant le 8 Vendémiaire, an. 9 (30 Septembre, 1800,) dont le payement a été ci-devant réclamé auprès du gouvernement actuel de France, et pour lesquelles le créancier a droit à la protection des Etats-Unis. Le dit article 5 ne comprend point les prises dont la condamnation a été ou viendrait à être confirmée; l'intention expresse des parties contractantes est pareillement de ne point étendre le bénéfice de la présente convention aux réclamations des citoyens Américains, qui auraient établi des maisons de commerce en France, en Angleterre ou dans des pays autres que les Etats-Unis, en société avec des étrangers, et qui, par cette raison et la nature de leur commerce, doivent être regardés comme domiciliés dans les lieux où existent les dites maisons. Sont pareillement exceptés tous accords et pactes concernant des marchandises qui ne seraient pas la propriété des citoyens Américains.

Il n'est d'ailleurs rien préjugé sur le fond des réclamations ainsi exceptées.

ART. VI. Afin que les différentes questions aux quelles l'article précédent pourra donner lieu, puissent être convenablement exami-

nees, les ministres plénipotentiaires des Etats-Unis nommeront trois personnes qui dès à présent et provisoirement, auront tout pouvoir d'examiner, sans déplacement de pièces tous les comptes des différentes créances déjà liquidées par les bureaux établis à cet effet par la République Française, et de reconnaître si elles appartiennent aux classes désignées dans la présente convention, et aux principes qui y sont établis, ou si elles ne sont pas dans l'une des exceptions, et sur leur certificat portant que la créance est due à un citoyen Américain, ou à son représentant, et qu'elle existait avant le 8 Vendémiaire, an. 9 (30 Septembre, 1800,) le créancier aura droit à un mandat sur le trésor des Etats-Unis, expédié conformément à l'article 3.

ART. VII. Les mêmes agens pourront également, et dès à présent, prendre connaissance, sans déplacer, des pièces relatives aux réclamations dont le travail et la vérification sont préparés, et délivrer leurs certificats sur celles qui réuniront les caractères nécessaires pour l'admission, et qui ne seront pas comprises dans les exceptions exprimées par la présente convention.

ART. VIII. A l'égard des autres réclamations dont les travaux n'ont pas encore été préparés, les mêmes agens en prendront aussi successivement connaissance, et déclareront par écrit celles qui leur paraîtront susceptibles d'être admises en liquidation.

ART. IX. A mesure que les créances mentionnées dans les dits articles auront été admises, elles seront acquittées avec les intérêts à six pour cent, par le trésor des Etats-Unis.

ART. X. Et afin qu'aucune dette qui n'aura pas les caractères ci-dessus mention-

nés, et qu' aucunes demandes injustes ou exorbitantes ne puissent être admises, l'agent commercial des Etats Unis à Paris, ou tel autre agent que le ministre plénipotentiaire des Etats Unis jugera à propos de nommer, pourra assister aux opérations des dits Bureaux, et concourir à l'examen de ces Créances, et si cet agent n'est pas d'avis que la dette est complètement prouvée, ou s'il juge qu'elle n'est pas comprise dans les dispositions du 5^me article ci-dessus mentionné, et que non obstant son avis les Bureaux établis par le gouvernement Français estiment que la liquidation doit avoir lieu, il transmettra les observations au Bureau établi de la part des Etats Unis, qui fera, sans déplacer, l'examen complet de la Créance et des pièces au soutien, et fera son rapport au ministre des Etats Unis.

Le ministre transmettra ses observations à celui du Trésor de la République Française, et sur son rapport le gouvernement Français prononcera définitivement.

Le rejet qui pourra avoir lieu n'ayant d'autre effet que de constater que le paiement demandé ne doit pas être fait par les Etats Unis, le gouvernement Français, se réserve de statuer définitivement sur la réclamation, en ce qui pourra le concerner.

ART. XI. Toutes les décisions nécessaires seront rendues dans le cours d'une année, à dater de l'échange des ratifications, et aucune réclamation ne sera admise ultérieurement.

ART. XII. Dans le cas où il y aurait des réclamations des citoyens des Etats Unis à la charge du gouvernement Français, pour

des dettes contractées après le 8 Vendémiaire, an. 9 (30 Septembre, 1800) elles pourront être suivies, et le paiement pourra être demandé, comme n'étant point comprises en cette convention.

ART. XIII. La présente convention sera ratifiée en bonne et due forme, et les ratifications seront échangées dans l'espace de six mois, après la date de la signature des ministres plenipotentiaires, ou plutôt s'il est possible.

En foi de quoi les plenipotentiaires respectifs ont signé les articles ci-dessus, tant en langue Française qu'en langue Anglaise, déclarant néanmoins que le présent traité a été originairement rédigé et arrêté en langue Française, et ils y ont apposé leurs sceau.

Fait à Paris, le dixieme jour de Floreal, de l'an onze de la République Française, et le 30 Avril 1803.

BARBE-MARBOIS, (L. S.)

ROBERT R. LIVINGSTON, (L. S.)

JAMES MONROE. (L. S.)

AND WHEREAS the said treaty and conventions have been duly ratified and confirmed by me, on the one part, with the advice and consent of the Senate, and by the First Consul of the French Republic, on the other, and the said ratifications were duly exchanged at the city of Washington, on the twenty first day of this present month of October :

NOW THEREFORE to the end, that the said treaty and conventions may be observed and performed with good faith on the part of the United States, I have ordered the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the same treaty and conventions and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be affixed to these presents and signed the same with my hand.

Given at the city of Washington in the year of our Lord one thousand eight hundred and three, and of (L. s.) the sovereignty and independence of the United States, the twenty eighth.

(Signed) TH: JEFFERSON.

By the President,

(Signed) JAMES MADISON.

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA,
A Proclamation:

Whereas a treaty between the United States of America, and the Kaskaskia nation of Indians, was concluded and signed, on the thirteenth day of August in the year one thousand eight hundred and three, and was duly ratified and confirmed by the President of the United States on the twenty fourth day of November in the year aforesaid, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:

A TREATY
BETWEEN THE
UNITED STATES OF AMERICA,
AND THE
KASKASKIA TRIBE OF INDIANS.

ARTICLES of a treaty made at Vincennes in the Indiana territory, between William Henry Harrison, governor of the said territory, superintendant of Indian affairs and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the Indian tribes north west of the

river Ohio of the one part, and the head chiefs and warriors of the Kaskaskia tribe of Indians so called, but which tribe is the remains and rightfully represent all the tribes of the Illenois Indians, originally called the Kaskaskia, Mitchigamia, Cahokia and Tæmaror of the other part.

ARTICLE 1st. Whereas from a variety of unfortunate circumstances the several tribes of Illinois Indians are reduced to a very small number, the remains of which have been long consolidated and known by the name of the Kaskaskia tribe, and finding themselves unable to occupy the extensive tract of country which of right belongs to them and which was possessed by their ancestors for many generations, the chiefs and warriors of the said tribe being also desirous of procuring the means of improvement in the arts of civilised life, and a more certain and effectual support for their women and children, have, for the considerations hereinafter mentioned, relinquished and by these presents do relinquish and cede to the United States all the lands in the Illenois country, which the said tribe has heretofore possessed, or which they may rightfully claim, reserving to themselves however the tract of about three hundred and fifty acres near the town of Kaskaskia, which they have always held and which was secured to them by the act of Congress of the third day of March one thousand seven hundred and ninety one, and also the right of locating one other tract of twelve hundred and eighty acres within the bounds of that now ceded, which

Cession to
the United
States.

two tracts of land shall remain to them forever.

United States take the Kaskaskias under their protection: who are not to make war, &c. &c. without the consent of the United States

ART. 2d. The United States will take the Kaskaskia tribe under their immediate care and patronage, and will afford them a protection as effectual against the other Indian tribes and against all other persons whatever as is enjoyed by their own citizens. And the said Kaskaskia tribe do hereby engage to refrain from making war or giving any insult or offence to any other Indian tribe or to any foreign nation, without having first obtained the approbation and consent of the United States.

Former annuity to be increased, to be paid in commutables, at the option of the Indians.

ART. 3d. The annuity heretofore given by the United States to the said tribe shall be increased to one thousand dollars, which is to be paid to them either in money, merchandisc, provisions or domestic animals, at the option of the said tribe: and when the said annuity or any part thereof is paid in merchandise, it is to be delivered to them either at Vincennes, Fort Massac or Kaskaskia, and the first cost of the goods in the sea port where they may be procured is alone to be charged to the said tribe free from the cost of transportation, or any other contingent expense. Whenever the said tribe may chuse to receive money, provisions or domestic animals for the whole or in part of the said annuity, the same shall be delivered at the town of Kaskaskia. The United States will also cause to be built a house suitable for the accommodation of the chief of the said tribe, and will enclose for their use a field not exceeding one hundred acres with a good and sufficient fence. *And whereas* the greater

The money or articles in exchange to be paid at Kaskaskia.

A house for the chief to be built and a field for the tribe to be enclosed.

part of the said tribe have been baptised and received into the Catholic church to which they are much attached, the United States will give annually for seven years one hundred dollars towards the support of a priest of that religion, who will engage to perform for the said tribe the duties of his office and also to instruct as many of their children as possible in the rudiments of literature. And the United States will further give the sum of three hundred dollars to assist the said tribe in the erection of a church. The stipulations made in this and the preceding article, together with the sum of five hundred and eighty dollars, which is now paid or assured to be paid for the said tribe for the purpose of procuring some necessary articles, and to relieve them from debts which they have heretofore contracted, is considered as a full and ample compensation for the relinquishment made to the United States in the first article.

ART. 4th. The United States reserve to themselves the right at any future period of dividing the annuity now promised to the said tribe amongst the several families thereof, reserving always a suitable sum for the great chief and his family.

ART. 5th. And to the end that the United States may be enabled to fix with the other Indian tribes a boundary between their respective claims, the chiefs and head warriors of the said Kaskaskia tribe do hereby declare that the rightful claim is as follows, viz—Beginning at the confluence of the Ohio and the Mississippi, thence up the river to the mouth of the Saline

An annual sum to be paid to a Catholic priest to perform the functions of his office for the Kaskaskias, and to instruct their children, &c. &c.

A sum to be given by the United States for the erection of a church.

Right reserved to the United States of dividing the annuity among the families of the tribe.

Boundaries fixed.

creek, about twelve miles below the mouth of the Wabash, thence along the dividing ridge between the said creek and the Wabash until it comes to the general dividing ridge between the waters which fall into the Wabash, and those which fall into the Kaskaskia river; and thence along the said ridge until it reaches the waters which fall into the Illenois river, thence in a direct course to the mouth of the Illenois river, and thence down the Mississippi to the beginning.

The Indians to have the same right of living and hunting upon the ceded lands as long as the United States retain their title to them.

ART. 6th. As long as the lands which have been ceded by this treaty shall continue to be the property of the United States, the said tribe shall have the privilege of living and hunting upon them in the same manner that they have hitherto done.

ART. 7th. This treaty is to be in force and binding upon the said parties, as soon as it shall be ratified by the President and Senate of the United States.

IN WITNESS WHEREOF, The said commissioner plenipotentiary and the head chiefs and warriors of the said Kaskaskia tribe of Indians have hereunto set their hands and affixed their seals, the thirteenth day of August in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty eighth.

WILLIAM HENRY HARRISON, (L. S.)

The mark ✕ of Nicolas or Nicholas, (L. S.)

The mark ✕ of Ocksinga or Mitchi-
ganican, (L. s.)

The mark ✕ of Jean Baptiste Du-
coigne, (L. s.)

The mark ✕ of Padagouge, (L. s.)

The mark ✕ of Kee, tin, sa a Cahokia, (L. s.)

LOUIS DECOUCIGNE. (L. s.)

Sealed and delivered in the presence of

JOHN RICE JONES,

Secretary to the commissioner.

HENRY VANDERBURG,

One of the judges of the Indiana territory.

J. F. RIVET,

Indian Missionary.

V. EYO, colonel of Knox county militia.

CORNS. LYMAN, capt. 9th inf. regt.

JAS. JOHNSON, of Indiana territory,

W. PARKE, of the Indiana territory,

JOSEPH BARRON, Interpreter.

NOW THEREFORE to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States. and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be affixed to these pre-

sents, and signed the same with my hand.

Done at the city of Washington the twenty third day of December in the year of our Lord one thousand eight hundred and three, and of the independence of the said states, the twenty eighth.

(Signed) TH: JEFFERSON.

(Signed) JAMES MADISON,
Secretary of State.

BY THE PRESIDENT

OF THE

UNITED STATES OF AMERICA,

A Proclamation.

Whereas a treaty between the United States of America and the Eel River, Wyandot, Pienkashaw, Kaskaskia and Kickapoos nations of Indians, was concluded and signed on the seventh day of August one thousand eight hundred and three, and was duly ratified and confirmed by the President of the United States on the twenty fifth day of November in the year aforesaid, by and with the advice and consent of the Senate, which treaty is in the words following, to wit :

AT a council holden at Vincennes on the seventh day of August one thousand eight hundred and three under the direction of William Henry Harrison, governor of the Indiana territory, superintendant of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the Indian nations north west of the river Ohio, at which were present the chiefs and warriors of the Eel River, Wyandot, Pienkashaw and Kaskaskia nations, and also the tribe of the Kickapoos, by their representatives, the chiefs of the Eel River nation.

The fourth article of the treaty holden and concluded at Fort Wayne on the seventh day of June one thousand eight hun-

Right given
to the United
States of lo-
cating land
on the roads
leading from
Vincennes to
Kaskaskia
and Clarkes-
ville.

dred and three, being considered, the chiefs and warriors of the said nations give their free and full consent to the same, and they do hereby relinquish and confirm to the United States the privilege and right of locating three several tracts of land of one mile square each on the road leading from Vincennes to Kaskaskia, and also one other tract of land of one mile square on the road leading from Vincennes to Clarkesville; which locations shall be made in such places on the aforesaid roads as shall best comport with the convenience and interest of the United States in the establishment of houses of entertainment for the accommodation of travellers.

IN WITNESS WHEREOF, The said William Henry Harrison and the said chiefs and warriors of the before mentioned nations and tribe of Indians have hereunto set their hands and affixed their seals the day and year first above written.

WILLIAM HENRY HARRISON, (L. S.)

Ka Tunga or Charly his ✕ mark, (L. S.)
Akaketa or Ploughman, his ✕ mark, (L. S.)
Grooble or Big Corn, his ✕ mark, (L. S.)
Black Dog, his ✕ mark, (L. S.)
Puppequor or Gun, his ✕ mark, (L. S.)
Le Boussier, his ✕ mark, (L. S.)
Ducoigne, his ✕ mark, (L. S.)
Pedagogue, his ✕ mark, (L. S.)
Saconquaneva or Tired Legs, his ✕
mark, (L. S.)
Little Eyes, his ✕ mark, (L. S.)

Signed, sealed and delivered in the presence of us,

JOHN RICE JONES,
B. PARKES,
JOSEPH BUSORON,

Interpreter.

NOW THEREFORE to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

(L. s.) Done at the city of Washington, the twenty third day of December, in the year of our Lord one thousand eight hundred and three, and of the independence of the said states, the twenty eighth.

(Signed) TH: JEFFERSON.

By the President,

(Signed) JAMES MADISON,
Secretary of State.

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA,
A Proclamation.

Whereas a treaty between the United States of America and the Delawares, Shawanoes, Putawatimies, Miamies, Eel River, Weeas, Kickapoos, Piankashaws and Kaskaskias nations of Indians, was concluded and signed on the seventh day of June, in the year one thousand eight hundred and three, and was duly ratified and confirmed by the President of the United States on the twenty fifth day of November in the year aforesaid, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:

ARTICLES
OF
A TREATY
BETWEEN THE
UNITED STATES OF AMERICA,
AND

THE DELAWARES, SHAWANOES, PUTAWATAMIES, MIAMIES, EEL RIVER, WEEAS, KICKAPOOS, PIANKASHAWS & KASKASKIAS NATIONS OF INDIANS.

ARTICLES of a treaty made at Fort Wayne on the Miami of the Lake, between

William Henry Harrison, governor of the Indiana territory, superintendant of Indian affairs and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the Indian tribes north west of the Ohio, of the one part and the tribes of Indians called the Delawares, Shawanoes, Putawatimies, Miamies and Kickapoos by their chiefs and head warriors, and those of the Eel River, Weeas, Piankashaws and Kaskaskias by their agents and representatives Tuthinipee, Winnemac, Richewille and Little Turtle (who are properly authorised by the said tribes) of the other part.

ARTICLE 1st. Whereas it is declared by the fourth article of the treaty of Greenville, that the United States reserve for their use the post of St. Vincennes and all the lands adjacent to which the Indian titles had been extinguished. *And whereas*, it has been found difficult to determine the precise limits of the said tract as held by the French and British governments: it is hereby agreed, that the boundaries of the said tract shall be as follow: Beginning at Point Coupee on the Wabash, and running thence by a line north seventy eight degrees, west twelve miles, thence by a line parallel to the general course of the Wabash, until it shall be intersected by a line at right angles to the same, passing through the mouth of White river, thence by the last mentioned line across the Wabash and towards the Ohio, seventy two miles, thence by a line north twelve degrees west, until it shall be intersected by a line at right angles to the same, passing through Point Coupee,

Boundaries
of a tract reserved to the
United States
about the post
of St. Vincennes described.

and by the last mentioned line to the place of beginning.

The United States give up all claim to the adjoining lands.

ART. 2d. The United States hereby relinquish all claim which they may have had to any lands adjoining to or in the neighborhood of the tract above described.

Salt Spring upon the Saline creek, ceded to the United States with a quantity of land surrounding it.

ART. 3d. As a mark of their regard and attachment to the United States, whom they acknowledge for their only friends and protectors, and for the consideration herein after mentioned, the said tribes do hereby relinquish and cede to the United States, the great Salt Spring upon the Saline creek which falls into the Ohio below the mouth of the Wabash, with a quantity of land surrounding it, not exceeding four miles square, and which may be laid off in a square or oblong as the one or the other may be found most convenient to the United States: And the said United States being desirous that the Indian tribes should participate in the benefits to be derived from the said spring, hereby engage to deliver yearly and every year for the use of the said Indians, a quantity of salt not exceeding one hundred and fifty bushels, and which shall be divided among the several tribes in such manner as the general council of the chiefs may determine.

United States engage to deliver for the use of the Indians a certain quantity of salt, yearly

ART. 4th. For the considerations before mentioned and for the convenience which the said tribes will themselves derive from such establishments it is hereby agreed that as soon as the tribes called the Kickapoos, Eel River, Weeas, Piankashaws and Kaskaskias shall give their consent to the measure, the United States shall have the right of locating three tracts of land (of such

size as may be agreed upon with the last mentioned tribes) on the main road between Vincennes and Kaskaskias, and one other between Vincennes and Clarksville for the purpose of erecting houses of entertainment for the accommodation of travellers. But it is expressly understood that if the said locations are made on any of the rivers, which cross the said road and ferries should be established on the same, that in times of high water any Indian or Indians belonging to either of the tribes who are parties to the treaty shall have the privilege of crossing such ferry toll free.

ARR. 5th. Whereas there is reason to believe that if the boundary lines of the tract described in the first article should be run in the manner therein directed, that some of the settlements and locations of land made by the citizens of the United States will fall in the Indian country—It is hereby agreed that such alterations shall be made in the direction of the said lines as will include them; and a quantity of land equal in quantity to what may be thus taken shall be given to the said tribes either at the east or the west end of the tract.

IN TESTIMONY WHEREOF The commissioner of the United States and the chiefs and warriors of the Delawares, Shawanoes, Putawatimes, Miamies and Kickapoos, and those of the Eel River, Weeas, Piankashaws, and Kaskaskias, by their agents and representatives, Tuthinipee, Winnemac, Rhichewille, and the Little Turtle, who are properly

authorised by the said tribes have hereunto subscribed their names and affixed their seals at Fort Wayne, this seventh day of June in the year of our Lord one thousand eight hundred and three, and of the independence of the United States, the twenty seventh.

WILLIAM HENRY HARRISON, (L. S.)

Miamies.

Richerville, his X mark, (L. S.)	} On behalf of themselves and Eel River, Weas, Piankashaws & Kaskaskias, whom they represent.
Me-She-Kun-Nogh-quoh, or Little Turtle, his X mark, (L. S.)	

Kickapoos.

Nehmahtohah, or Standing, his X mark, (L. S.)
Pash, she, we, hah, or Cat, his X mark, (L. S.)

Shawanoes.

Neahmemsiceh, his X mark, (L. S.)

Putawatimies.

Tuthinipee, his X mark, (L. S.)	} On behalf of the Putawatimies & Eel River, Weas, Piankashaws and Kaskaskias, whom they represent.
Winnemac, his X mark, (L. S.)	

Wannangsea or Five Medals, his X mark, (L. S.)
Kee-Saas, (or Sun) his X mark, (L. S.)

Delawares.

Teta Buxike, his X mark, (L. S.)
Bu-Kon, ge Helas, his X mark, (L. S.)

Hockingspomskenn, his ✕ mark, (L. S.)
Kechkawhaneind, his ✕ mark, (L. S.)

Shawanoese.

Cuthe, We, Ka, saw, or Black Hoof,
his ✕ mark, (L. S.)
Methawnasice, his ✕ mark, (L. S.)

Signed, sealed and delivered in the presence of

JOHN RICE JONES,
Secretary to the Commissioner.
JOHN GIBSON,
Secretary Indiana Territory.
THOS. PASTEUR,
Capt. first regt. Infantry.
WILLIAM WELLS,
Interpreter.
JOHN JOHNSTON,
United States Factor.
HENDRICK AUPAUMUT,
Chief of Mubhecon.
THOMAS FREEMAN.

The proceedings at the within treaty were faithfully interpreted by us John Gibson and William Wells, that is, for the Delawares, John Gibson, and for the rest of the tribes William Wells.

JOHN GIBSON,
WILLIAM WELLS.

NOW THEREFORE to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises

to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

IN TESTIMONY WHEREOF I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

(L. s.) Done at the city of Washington the twenty sixth day of December in the year of our Lord one thousand eight hundred and three, and of the independence of the said states, the twenty eighth.

(Signed) TH: JEFFERSON.

By the President,

(Signed) JAMES MADISON,
Secretary of State.

BY THE PRESIDENT

OF THE

UNITED STATES OF AMERICA,

A Proclamation:

Whereas a treaty between the United States of America, and the Choctaw nation of Indians was concluded and signed, on the thirty first day of August in the year one thousand eight hundred and three, and was duly ratified and confirmed by the President of the United States on the twenty fifth day of November in the year aforesaid, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:

TO WHOM THESE PRESENTS SHALL COME,

KNOW YE, That the undersigned commissioners plenipotentiary of the United States of America, of the one part, and of the whole Choctaw nation of the other part, being duly authorised by the President of the United States, and by the chiefs and headmen of the said nation, do hereby establish in conformity to the convention of Fort Confederation, for the line of demarkation recognised in the said convention, the following metes and bounds, viz: Beginning in the channel of the Hatchee Comesa, or Wax river, at the point where the line of limits, between the United States and Spain crosseth the same, thence up the channel of said river to the confluence of

the Chickasaw-Hay and Buck ha tannee rivers, thence up the channel of the Buck ha tannee to Bogue Hooma or Red creek, thence up the said creek to a Pine tree standing on the left bank of the same, and blazed on two of its sides, about twelve links south west of an old trading path, leading from the town of Mobile to the Hewanee towns much worn, but not in use at the present time :--From this tree we find the following bearings and distances, viz. south fifty four degrees thirty minutes, west one chain, one link a black gum, north thirty nine degrees east one chain seventy five links a water oak; thence with the old British line of partition in its various inflections, to a Mulberry post, planted on the right bank of the main branch of Sintee Bogue or Snake creek, where it makes a sharp turn to the south east, a large broken top Cypress tree standing near the opposite bank of the creek, which is about three poles wide, thence down the said creek to the Tombigby river, thence down the Tombigby and Mobile rivers, to the above mentioned line of limits between the United States and Spain, and with the same to the point of beginning: And we, the said commissioners plenipotentiary, do ratify and confirm the said line of demarkation, and do recognise and acknowlege the same to be the boundary which shall separate and distinguish the land ceded to the United States, between the Tombigby, Mobile and Pascagola rivers, from that which has not been ceded by the said Choctaw nation.

IN TESTIMONY WHEREOF, We here-
unto affix our hands and seals, this
31st day of August in the year of
our Lord one thousand eight hun-
dred and three, to triplicates of this
tenor and date. Done at Hae Buckin
too Pa, the day and year above writ-
ten, and in the twenty seventh year
of the independence of the United
States.

JAMES WILKINSON, (L. S.)

Mingo Poochoos, his ✕ mark, (L. S.)
Alatala Hooma, his ✕ mark, (L. S.)

Witnesses present,

YOUNG GAINS,
Interpreter.
JOSEPH CHAMBERS,
United States Factor.
JOHN BOWYER,
Capt. 2d. U. States regt.

We the commissioners of the Choctaw
nation duly appointed and the chiefs of the
said nation who reside on the Tombigby
river, next to Santee Bogue, do acknow-
lege to have received from the United
States of America, by the hands of briga-
dier general James Wilkinson, as a consi-
deration in full for the confirmation of the
above concession, the following articles,
viz: fifteen pieces of strouds, three rifles,
one hundred and fifty blankets, two hun-
dred and fifty pounds of powder, two hun-
dred and fifty pounds of lead, one bridle,

one man's saddle, and one black silk handkerchief.

MINGO Poos Coos, his ✕ mark.
ALATALA HOOMA, his ✕ mark.
Commissioners of the Choctaw nation.

PIO MUIGO, his ✕ mark.

Pasa Mastubby Mingo, his ✕ mark,
Tappena Oakchia, his ✕ mark,
Tuskenung, Coos, Che, his ✕ mark,
Cus, soo, nuck, Chia, his ✕ mark,
Pusha, pia, his ✕ mark,
*Chiefs residing on the Tombigby
near to St. Stephens.*

Witnesses present,

YOUNG GAINS,
Interpreter.
JOSEPH CHAMBERS,
United States Factor.
JOHN BOWYER,
Capt. 2d. U. States regt.

NOW THEREFORE to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

(L. s.) Done at the city of Washington the twenty sixth day of December, in the year of our Lord one thousand eight hundred and three, and of the independence of the said states, the twenty eighth.

(Signed) TH: JEFFERSON.

By the President,

(Signed) JAMES MADISON,

Secretary of State.



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A C T S

PASSED

AT THE SECOND SESSION

OF THE

Eighth Congress

OF THE

UNITED STATES OF AMERICA,

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

IN THE

DISTRICT OF COLUMBIA,

ON MONDAY, THE FIFTH OF NOVEMBER,

In the Year 1804.

AND OF THE

INDEPENDENCE OF THE UNITED STATES

THE TWENTY-NINTH.

82075

Added Oct. 9. 1867.

A C T S

PASSED

AT THE SECOND SESSION

OF THE

EIGHTH CONGRESS.

CHAPTER LXII.

AN ACT making a farther appropriation for carrying into effect the treaty of amity, commerce and navigation, between his Britannic Majesty and the United States of America.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum not exceeding seventy thousand dollars, be, and the same hereby is appropriated, to be paid under the direction of the President of the United States out of any monies in the treasury, not otherwise appropriated, for the purpose of carrying into effect the seventh article of the treaty of amity, commerce and navigation between his

Britannic Majesty and the United States of America.

NATH^L. MACON,
Speaker of the House of Representatives.

A. BURR,
*Vice President of the United States, and
President of the Senate.*

November 24, 1804.

APPROVED,

TH: JEFFERSON.

CHAPTER LXIII.

AN ACT making an appropriation to supply a deficiency in an appropriation for the support of government during the present year, and making a partial appropriation for the same object during the year one thousand eight hundred and five.

Specific appropriation.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That to make good a deficiency of the appropriation for the contingent expenses of both Houses of Congress, authorised by the act of the fourteenth of March last, the farther sum of two thousand five hundred dollars be, and the same hereby is appropriated.

Sec 2. *And be it further enacted, That towards defraying the expense of firewood,*

stationery and other contingent expenses of both houses of Congress, during the year one thousand eight hundred and five, the sum of three thousand dollars be, and the same hereby is appropriated: which several sums shall be paid and discharged out of the fund of six hundred thousand dollars reserved by the act "making provision for the debt of the United States."

Specific ap-
propriation.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate*

December 6, 1804.

APPROVED,

TH: JEFFERSON

CHAPTER LXIV.

*AN ACT for the disposal of certain copies
of the laws of the United States.*

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That three hundred copies of the laws of the United States, which have been procured by the Secretary of State, in obedience to the law passed for that purpose, and three hundred copies of the journals of Congress, which have been procured in pursuance of the resolution of the second of March, one thou-

Certain cop-
ies of the
laws and
journals of
Congress to
be placed in
the Library.

sand seven hundred and ninety-nine, shall be placed in the library of Congress.

Sec. 2. *And be it further enacted*, That

Secretary of Senate to receive 300 copies of the laws reserved for the disposal of Congress;

to be placed in the Library and assorted with others at the end of the last session of every Congress,

the laws of that Congress received in the Library to be bound in one volume.

By whom the laws and journals may be taken from the Library.

Expense of binding how defrayed.

The President of Senate and Speaker of

the Secretary of the Senate, for the time being, be, and he is hereby authorised to receive three hundred copies of the laws of the United States, out of the thousand copies reserved by law for the disposal of Congress, as soon as the same shall be printed after each session; which he shall cause to be placed in the library, and assorted respectively with the sets of copies mentioned in the first section of this act; excepting only, that at the close of the present session, which will complete the eighth Congress, and in like manner after each particular session in future, which shall complete a Congress, he shall cause the several copies, reserved by him as aforesaid, for all the sessions of each respective Congress, to be bound in one volume, making three hundred volumes for each Congress, as aforesaid; which he shall cause to be placed in the library, assorted with the respective sets of copies mentioned in the first section of this act. And the several copies of the laws and journals of Congress, mentioned in this act shall not be taken out of the library, except by the President and Vice-President of the United States, and members of the Senate and House of Representatives for the time being. And the expense of binding shall be paid, from time to time, out of the fund appropriated to defray the contingent expenses of both houses of Congress.

Sec. 3. *And be it further enacted*, That the President of the Senate and Speaker of

the House of Representatives, for the time being, be, and they are hereby empowered to establish such regulations and restrictions in relation to the copies of the laws and journals of Congress, directed by this act to be placed in the library, as to them shall seem proper, and from time to time, to alter and amend the same : *Provided*, that no regulation nor restriction shall be valid, which is repugnant to the provisions contained in this act.

the House of Representatives to make regulations concerning laws, not repugnant to this act.

Sec. 4. *And be it further enacted*, That to make up the deficiency of the appropriation heretofore made, for the purchase of four hundred copies of the laws of the United States, the sum of eleven hundred and forty-four dollars be, and the same is hereby appropriated, payable out of any money in the treasury, not otherwise appropriated.

Deficiency of a former appropriation for the purchase of laws made up.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice-President of the United States, and President of the Senate.

January 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXV.

AN ACT concerning drawbacks on goods, wares and merchandise.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so

Part of a former act, imposing restrictions on the exportation of goods from New-Orleans, repealed :

much of the sixth section of the act, entitled, " An act for laying and collecting duties on imports and tonnage within the territory ceded to the United States by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic ; and for other purposes," as prohibits the allowance of drawbacks of duties on goods, wares and merchandise exported from the port of New-Orleans, other than those imported into the same place directly from a foreign port or place, shall be, and the same is hereby repealed.

Goods exported to the westward or southward of Louisiana, entitled to drawbacks.

Sec. 2. *And be it further enacted*, That any goods, wares, or merchandise, which shall be exported from the United States, or the district of Mississippi, in the manner prescribed by law, to any foreign port or place, situated to the westward or southward of Louisiana, shall be deemed and taken to be entitled to such drawback of duties as would be allowable thereon, when exported to any other foreign port or place, any thing in the act, entitled " An act to regulate the collection of duties on imports and tonnage," to the contrary notwithstanding :

Commencement of this act.

This act shall commence and be in force from and after the first day of March next.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

January 5, 1805.

APPROVED,

TH : JEFFERSON.

CHAPTER LXVI.

AN ACT to divide the Indiana Territory into two separate governments.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June next, all that part of the Indiana Territory, which lies North of a line drawn east from the southerly bend or extreme of lake Michigan, until it shall intersect lake Erie, and East of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall, for the purpose of temporary government, constitute a separate territory, and be called Michigan.

Territory of Michigan taken from the Indiana territory.

Boundaries of the new territory and commencement of a temporary government for it.

Sec. 2. *And be it further enacted*, That there shall be established within the said territory, a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States, north west of the river Ohio; and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, entitled "An act to provide for the government of the territory north west of the river Ohio;" and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the territory of the United States, north west of the river Ohio, by the said ordinance.

Its government.

Officers to exercise the same powers, be subject to the same duties, & to receive the same compensations as in the Indiana territory.

Superintendent of Indian affairs vested in the governor.

Government of Indiana not affected by this act, except in the establishment of that of Michigan.

Suits or legal proceedings pending on the 30 June, 1805, in the district of country, or arising there-in, which forms the territory of Michigan, to be proceeded in to judgments, as if this act had not passed.

Sec. 3. *And be it further enacted*, That the officers for the said territory, who by virtue of this act shall be appointed by the President of the United States, by and with the advice and consent of the Senate, shall respectively exercise the same powers, perform the same duties, and receive for their services, the same compensations, as by the ordinance aforesaid and the laws of the United States, have been provided and established for similar officers in the Indiana Territory; and the duties and emoluments of superintendent of Indian affairs, shall be united with those of governor.

Sec. 4. *And be it further enacted*, That nothing in this act contained, shall be construed so as, in any manner, to affect the government now in force in the Indiana Territory, further than to prohibit the exercise thereof within the said territory of Michigan, from and after the aforesaid thirtieth day of June next.

Sec. 5. *And be it further enacted*, That all suits, process, and proceeding, which, on the thirtieth day of June next, shall be pending in the court of any county, which shall be included within the said territory of Michigan; and also all suits, process, and proceedings, which on the said thirtieth day of June next, shall be pending in the general court of the Indiana Territory, in consequence of any writ of removal, or order for trial at bar, and which had been removed from any of the counties included within the limits of the territory of Michigan aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon, in the same man-

mer as if the said Indiana Territory had remained undivided.

Sec. 6. *And be it further enacted, That* Detroit shall be the seat of government of the said territory, until Congress shall otherwise direct.

Detroit made
the seat of
government.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
Vice-President of the United States, and
President of the Senate.

January 11, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXVII.

AN ACT declaring Cambridge, in the state of Massachusetts, to be a port of delivery.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the town or landing place of Cambridge, in the state of Massachusetts, shall be a port of delivery, to be annexed to the district of Boston and Charlestown, and shall be subject to the same regulations as other ports of delivery in the United States.

Town of
Cambridge
in the district
of Boston
made a port
of delivery.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
Vice-President of the United States, and
President of the Senate.

January 11, 1805.

APPROVED,

TH: JEFFERSON,

CHAPTER LXVIII.

AN ACT authorising the corporation of George-town to make a dam or causeway from Mason's island to the western shore of the river Potomac.

Corporation of George-town empowered to levy a tax on the real property within its jurisdiction for erecting a causeway.

Power to cease when the object is effected.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the corporation of George-town have power to levy a tax, not exceeding one per cent. per annum, on the real property in said town, and its additions within the jurisdiction of the said corporation, for the purpose of defraying the expense of erecting a dam or causeway across that arm of the river Potomac which passes between Mason's island and the western shore of the said river : that the same shall not be erected until the consent of the proprietor or proprietors of the island and of the western shore of the river opposite thereto, shall be first obtained. The power hereby granted to the said corporation of levying an extra tax, to cease and determine when the object for which it is granted, shall be completely effected.

NATHL. MACON,
Speaker of the House of Representatives,

JOS. ANDERSON,
President of the Senate, pro tempore.

January 19, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXIX.

AN ACT for the relief of Charlotte Hazen, widow and relict of the late brigadier general Moses Hazen.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be allowed to Charlotte Hazen, widow and relict of the late brigadier general Moses Hazen, for her support, the annual sum of two hundred dollars, during her life, to commence from the fourth day of February, one thousand eight hundred and three; and that the sum hereby granted, be paid to her the said Charlotte, in the same manner, and under the same rules, regulations and restrictions, as pensions are paid to invalids who have heretofore been placed on the pension list of the United States.

Annual pension allowed to Charlotte Hazen, the widow of Brigadier general Hazen. The same rules to be observed as are used in the payment of invalid pensions.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

January 23, 1805.

APPROVED,

TH: JEFFERSON,

CHAPTER LXX.

AN ACT making appropriations for the support of the Navy of the United States, during the year one thousand eight hundred and five.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the expenses of the Navy of the United States, during the year one thousand eight hundred and five, the following sums be, and the same are hereby respectively appropriated, that is to say :

Specific ap-
propriations.

For the pay and subsistence of the officers, and the pay of the seamen, four hundred and fifteen thousand five hundred and seventy eight dollars :

For provisions, two hundred and twenty-seven thousand seven hundred and eighty six dollars, and forty cents :

For medicine, instruments, hospital stores, and all expenses on account of the sick, ten thousand seven hundred and fifty-two dollars :

For repairs of vessels, store rent, and other contingent expenses, four hundred and eleven thousand nine hundred and fifty one dollars, and two cents :

For the pay and subsistence of the Marine Corps, including provisions for those on shore, and forage for the staff, eighty-two thousand five hundred and ninety-three dollars, and sixty cents :

For cloathing for the same, sixteen thousand five hundred and thirty six dollars, and ninety-eight cents : Specific appropriations.

For military stores for the same, one thousand six hundred and thirty-five dollars :

For medicine, medical services, hospital stores, and all expenses on account of the sick belonging to the marine corps, one thousand two hundred and fifty dollars :

For Quartermaster's and Barrack Master's stores, officers travelling expenses, armourer's and carpenter's bills, fuel, premium for enlisting, music, and other contingent expenses, eight thousand four hundred and nineteen dollars :

For the expense of navy yards, docks, and other improvements, the pay of superintendants, store keepers, clerks and laborers, sixty thousand dollars :

For completing the Marine barracks at the city of Washington, three thousand five hundred dollars :

Sec. 2. *And be it further enacted*, That the several sums herein specifically appropriated, and amounting altogether to the sum of one million two hundred and forty thousand dollars, shall be paid, first, out of the monies accruing at the end of the year one thousand eight hundred and five, from the duties laid by the act passed on the twenty-fifth day of March, one thousand eight hundred and four, intituled " An act further to protect the commerce and seamen of the United States against the Barbary powers," provided that the sum to be paid from the proceeds of the said duties shall not exceed five hundred and ninety

thousand dollars ; secondly, out of any balance remaining unexpended of former appropriations for the support of the navy, and lastly, out of any monies in the Treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

January 25, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXI.

AN ACT making an appropriation for completing the south wing of the Capitol, at the City of Washington ; and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum not exceeding one hundred and ten thousand dollars, shall be, and the same is hereby appropriated, to be applied under the direction of the President of the United States, towards completing the south wing of the Capitol, at the City of Washington.

Sum appropriated for completing the south wing of the Capitol, to be applied under the direction of the President.

Sec. 2d. *And be it further enacted*, That a sum not exceeding twenty thousand dollars, shall be, and the same is hereby appropriated, to be applied under the direction of the President of the United States, to such necessary alterations and repairs, as he

may deem requisite, in the north wing of the Capitol, and other public buildings at the City of Washington; which said sums shall be paid out of any monies in the Treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

January 25, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXI.

AN ACT to provide for completing the valuation of lands and dwelling houses, and the enumeration of slaves in South Carolina; and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the treasury be, and he is hereby authorised and directed to employ clerks, for such compensation as he shall judge reasonable, to complete, register, and record, under the direction of the supervisor of the district of South Carolina, the lists and abstracts of the valuation of lands and dwelling houses, and of the enumeration of slaves within the state of South Carolina;

Secretary of the Treasury to employ clerks, upon such terms as may be reasonable, for completing, &c. the abstracts of the valuation of lands, &c. &c. in the state of South Carolina, under the direction of the supervisor.

The clerks, under the direction of the supervisor, to make the proper additions to or deductions from the valuations.

Lists and abstracts when finished, to have the same force and effect as if they had been completed &c. &c. agreeably to the provisions of the acts quoted in this law.

An additional *per diem* allowance to the supervisor.

Proviso.

and under the direction of the supervisor aforesaid, to add to, or to deduct from the valuations aforesaid, of each individual, such a rate per centum as has been determined by the commissioners appointed for the said state, under the act, intituled "An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves within the United States," agreeably to the provisions of the said act, of the act intituled "An act, supplementary to the act, intituled 'An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves within the United States,' and of the act intituled, "An act to provide for equalising the valuation of unseated lands:" Which lists and abstracts, thus completed in conformity with the revisions and equalisations made by the commissioners aforesaid, shall have the same force and effect as if they had been completed, registered, and recorded, under the direction of the commissioners aforesaid, agreeably to the provisions of the above-mentioned acts. The supervisor aforesaid, shall be allowed, in addition to his annual compensation, at the rate of three dollars per diem, for each and every day employed by him, in completing or superintending the completion of the lists and abstracts aforesaid: *Provided*, That the whole amount of the said additional allowance shall not exceed five hundred dollars and the said allowance, as well as the compensation of the clerks employed by virtue of this section, shall be paid out of the monies appropriated, or which may hereafter be appropriated for defraying the expenses incident to the valuation of houses and lands, and

the enumeration of slaves within the United States.

Sec. 2. *And be it further enacted*, That the supervisor of the district of South Carolina, be, and he is hereby authorised and directed, as soon as the assessment of the direct tax to be levied and collected in the state of South Carolina, by virtue of the act, intituled, "An act to lay and collect a direct tax, within the United States," shall have been completed, to appoint for the whole of the said state, one or more surveyors of the revenue; who shall be authorised to make out the lists containing the sums payable, according to such assessment, for every dwelling house, tract, or lot of land and slave within the said state. Which lists shall have the same force and effect, as if they had been made for each assessment district, by a distinct surveyor of the revenue: the surveyor or surveyors of the revenue, thus appointed for the whole state of South Carolina, shall likewise perform all the other duties, exercise all the powers, and receive the same compensation, which by virtue of the provisions still in force in any former act or acts, were directed to be performed, exercised, and received by the surveyors of the revenue for the several assessment districts; and so much of any act, or acts, as directed the appointment of one surveyor of the revenue for each assessment district, is, so far as relates to the state of South Carolina, hereby repealed.

Sec. 3. *And be it further enacted*, That the several supervisors, or officers acting as supervisors, may, with the approbation of the secretary of the treasury, unite,

Supervisor of the district of S. Carolina to appoint for the whole state one or more surveyors, when the assessment of the direct tax therein is completed.

These surveyors to make out the lists of the sums payable.

Those lists so made, to have the force and effect of lists made by distinct surveyors of the revenue.

The surveyors to have the same powers, perform the same duties, & receive the same compensation as the district surveyors.

Repeal of so much of any acts as directs the appointment of surveyors for the several districts in South Carolina.

Several supervisors, with the approbation of the Secretary of the Treasury

may unite several assessment districts into one district, and appoint one collector of the direct tax therein.

whenever such measure shall be thought expedient for the better collection of the direct tax, two or more assessment districts into one district, and appoint only one collector of the said tax for the assessment districts, thus united; any thing in any former act or acts to the contrary, notwithstanding.

Accounting officers of the Treasury, authorised to settle the accounts of the commissioners and assessors in S. Carolina, tho' they may not have been presented according to a former law.

Sec. 4. *And be it further enacted*, That the accounting officers of the treasury be, and they are hereby authorised to settle the accounts of any of the commissioners or assessors employed in making the valuations, and enumerations abovementioned in the state of South Carolina, although the same may not have been presented to, and certified by the commissioners aforesaid, in conformity with the provisions of the act, intituled "An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves within the United States."

Allowance to the commissioners, who render assistance to the supervisor of S. Carolina, by a request of the Secretary of the Treasury.

Sec. 5. *And be it further enacted*, That any of the commissioners aforesaid, who shall, on the request of the secretary of the treasury, attend for the purpose of assisting the supervisor of the district of South Carolina, in completing the lists and abstracts of the valuations, and enumerations in the manner provided by the first section of this act, shall be allowed the same rate of compensation, as is provided by law for attending a meeting of the board of commissioners.

Appropriation for defraying further expenses incident to the

Sec. 6. *And be it further enacted*, That a sum not exceeding thirteen thousand five hundred and ninety-three dollars, and twenty-three cents, to be paid out of any monies in the treasury, not otherwise ap-

propriated, be, and the same is hereby appropriated, for defraying the further expenses incident to the valuation of houses and lands, and the enumeration of slaves within the United States.

valuation of
houses and
lands, &c. &c.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate pro tempore.

January 30, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXII.

AN ACT for the relief of Alexander Murray.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers liquidate and adjust with Alexander Murray, the account of damages, interest and Charges, in the case of the schooner charming Betsey, recaptured by him, while commander of the frigate Constellation in the service of the United States, during the year one thousand eight hundred, and afterwards libelled in the district court of the United States, for the district of Pennsylvania, in which case judgment was ultimately ren-

dered by the circuit court, in pursuance of a decision of the supreme court of the United States ; and that so much as may be necessary for satisfying the same, be paid out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

January 31, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXIII.

AN ACT for the relief of John Steele.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers liquidate and settle the account of John Steele, for his services as secretary of the Mississippi Territory, from the seventh day of May, eighteen hundred and two, to the second day of March, eighteen hundred and three, inclusively ; and that there be paid to him for his salary and official expen-

ditures, such compensation as is, by law, allowed to persons acting in that capacity.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

January 31, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXIV.

AN ACT concerning the mode of surveying the Public Lands of the United States.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the surveyor general shall cause all those lands north of the river Ohio, which, by virtue of the act, entitled " An act providing for the sale of the lands of the United States, in the territory north west of the river Ohio, and above the mouth of the Kentucky river," were subdivided, by running through the townships, parallel lines each way, at the end of every two miles, and by marking a corner on each of the said lines, at the end of every mile; to be subdivided into sections, by running straight lines from the mile corners thus marked,

Mode of surveying public lands north of the Ohio.

to the opposite corresponding corners, and by marking on each of the said lines, intermediate corners as nearly as possible equi-distant from the corners of the sections on the same. And the said surveyor general shall also cause the boundaries of all the half sections, which had been purchased previous to the first day of July last, and on which the surveying fees had been paid, according to law, by the purchaser, to be surveyed and marked, by running straight lines from the half mile corners, heretofore marked, to the opposite corresponding corners; and intermediate corners shall, at the same time, be marked on each of the said dividing lines, as nearly as possible equi-distant from the corners of the half section on the same line:

Proviso.

Provided, That the whole expense of surveying and marking the lines, shall not exceed three dollars for every mile which has not yet been surveyed, and which shall be actually run, surveyed, and marked by virtue of this section. And the expense of making the subdivisions, directed by this section, shall be defrayed out of the monies appropriated, or which may be hereafter appropriated, for completing the surveys of the public lands of the United States.

How the expense of making the above surveys is to be paid.

Principles upon which the boundaries & contents of the public lands are to be ascertained.

Sec. 2. *And be it further enacted*, That the boundaries and contents of the several sections, half sections, and quarter sections of the public lands of the United States, shall be ascertained in conformity with the following principles, any act or acts to the contrary notwithstanding :

1st. All the corners marked in the surveys, returned by the surveyor general, or by the surveyor of the land south of the state of Tennessee, respectively, shall be established as the proper corners of sec-

tions, or subdivisions of sections, which they were intended to designate; and the corners of half and quarter sections, not marked on the said surveys, shall be placed as nearly as possible equi distant from those two corners which stand on the same line.

Principles upon which the boundaries & contents of the public lands are to be ascertained.

2d. The boundary lines, actually run and marked in the surveys returned by the surveyor general, or by the surveyor of the land south of the state of Tennessee, respectively, shall be established as the proper boundary lines of the sections, or subdivisions, for which they were intended, and the length of such lines, as returned by either of the surveyors aforesaid, shall be held and considered as the true length thereof. And the boundary lines, which shall not have been actually run, and marked as aforesaid, shall be ascertained, by running straight lines from the established corners to the opposite corresponding corners; but in those portions of the fractional townships, when no such opposite corresponding corners have been or can be fixed, the said boundary lines shall be ascertained, by running from the established corners, due north and south, or east and west lines, as the case may be, to the water course, Indian boundary line, or other external boundary of such fractional township.

3d. Each section, or subdivision of section, the contents whereof shall have been, or by virtue of the first section of this act, shall be returned by the surveyor general, or by the surveyor of the public lands south of the state of Tennessee, respectively, shall be held and considered as containing the exact quantity, expressed in such re-

turn or returns : and the half sections and quarter sections, the contents whereof shall not have been thus returned, shall be held and considered as containing the one half, or the one fourth part respectively, of the returned contents of the section of which they make part.

Part of a former act repealed.

SEC. 3. *And be it further enacted*, That so much of the act entitled “ An act making provision for the disposal of the lands in the Indiana territory, and for other purposes,” as provides the mode of ascertaining the true contents of sections or subdivisions of sections, and prevents the issue of final certificates, unless the said contents shall have been ascertained, and a plot certified by the district surveyor, lodged with the register, be, and the same is hereby repealed.

NATHL. MACON.

Speaker of the House of Representatives.

A. BURR.

*Vice President of the United States, and
President of the Senate.*

February 11, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXV.

AN ACT for carrying into more complete effect the tenth article of the treaty of friendship, limits and navigation with Spain.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever any Spanish vessel shall arrive in distress, in any port of the United States, having been damaged on the coasts, or within the limits of the United States, and her cargo shall have been unladen, in conformity with the provisions of the sixtieth section of the act, intituled "An act to regulate the collection of duties on imports and tonnage," the said cargo, or any part thereof, may, if the said ship or vessel should be condemned, as not sea worthy, or be deemed incapable of performing her original voyage, afterwards be re-laden on board any other vessel or vessels, under the inspection of the officer who superintended the landing thereof, or other proper person. And no duties, charges, or fees whatever, shall be paid on such part of of the cargo, as may be reladed and carried away, either in the vessel in which it was originally imported, or in any other whatever.

Cargoes of Spanish vessels, arriving in distress in the U. S. may be reshiped in other vessels without any charges, &c.

Sec. 2. *And be it further enacted*, That the collector of the district of Norfolk, in Virginia, shall be, and he hereby is authorised and required to refund to the owners or agents of the Spanish brigantine Nancy, (which vessel arrived in distress at that port, in the year one thousand eight hundred and four) the amount of the

Collector of Norfolk to refund certain duties on goods reshiped which were landed from the Spanish brig Nancy.

Proviso.

duties secured by him on such part of her cargo as was re-exported: *Provided*, That the debenture or debentures issued by the said collector for the drawback of the duties on the exportation of the said cargo, shall be duly surrendered to him, and cancelled.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States,
and President of the Senate.*

February 14. 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXVI.

AN ACT authorising the post master general to make a new contract for carrying the mail from Fayetteville, in North Carolina, to Charleston, in South Carolina.

Post master general authorised to make a new contract for carrying the mail between Fayetteville and Charleston.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the post master general shall be, and hereby is authorised to make a new contract for carrying the mail in a line of stages between the town of Fayetteville, in the state of North Carolina, and the city of Charleston, in the state of South Carolina,

upon such terms and conditions as he may deem most conducive to the interest of the United States : *Provided*, That he does Proviso. not exceed the sum of four thousand two hundred dollars, annually, beyond the amount of the present contract ; and that no contract made in virtue of this act shall extend beyond the time to which the present contract extends.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States,
and President of the Senate.*

February 14 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER LXXVII.

AN ACT making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and five.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and five ; Specific appropriations. for the Indian department ; and for the ex-

Specific ap-
propriations.

pense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are respectively appropriated, that is to say :—

For the pay of the army of the United States, three hundred and two thousand, seven hundred and ninety six dollars :

For forage, four thousand four hundred and eighty eight dollars :

For the subsistence of the officers of the army and corps of engineers, thirty one thousand, three hundred and twenty nine dollars, and fourteen cents :

For the subsistence of non-commissioned officers, musicians, and privates, one hundred and seventy nine thousand and nine dollars, and sixty nine cents :

For clothing, eighty five thousand dollars :

For bounties and premiums, fifteen thousand dollars :

For the medical and hospital department, twelve thousand dollars :

For camp equipage, fuel, tools, expense of transportation, and other contingent expenses of the war department, eighty one thousand dollars :

For fortifications, arsenals, magazines and armories, one hundred and thirty three thousand two hundred and ninety six dollars, and eighty eight cents :

For purchasing maps, plans, books, and instruments for the war department, and military academy, five hundred dollars :

For the pay and subsistence of the commandants in Louisiana, five thousand nine hundred and seventy-one dollars, and seventy seven cents :

For the Indian department, ninety two thousand six hundred dollars.

SEC. 2. *And be it further enacted*, That the several appropriations, herein before made, shall be paid and discharged out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON.

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

February 14, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXVIII.

AN ACT supplementary to the act, intituled " An act to regulate the collection of duties on imports and tonnage."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the same terms of credit, which are granted by law, for the payment of duties on articles the produce of the West Indies, and no other, shall be allowed on goods wares and merchandise imported by sea into the

The same terms of credit for the payment of duties on goods imported by sea from foreign places, N. of the equator,

& on the Eastern shores of America, as are allowed on W. India articles.

United States from all foreign ports and islands lying north of the Equator, and situated on the eastern shores of America, or in its adjacent seas, bays and gulfs.

Vessels may proceed with their foreign cargoes to foreign ports or places, free of duties.

Sec. 2. *And be it further enacted*, That it shall be lawful for any ship or vessel to proceed with any goods, wares or merchandise, brought in her, and which shall in the manifest delivered to the collector of the customs, be reported as destined or intended for any foreign port or place, from the district within which such ship or vessel shall first arrive, to such foreign port or place, without paying or securing the payment of any duties upon such goods, wares or merchandise, as shall be actually re-exported in the said ship or vessel: *Provided*, That such manifest so declaring to re-export such goods, wares, or merchandise, shall be delivered to such collector, within forty eight hours after the arrival of such ship or vessel. And, *Provided also*, That the master or commander of such ship or vessel shall give bond as required by the thirty second section of the act, intituled "An act to regulate the collection of duties on imports and tonnage."

Proviso.

Proviso.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States,
and President of the Senate.*

February 22, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER LXXIX.

An ACT to continue in force “ An Act declaring the consent of Congress to an Act of the state of Maryland, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, for the appointment of a health officer.”

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the consent of Congress be, and is hereby granted and declared to the operation of an act of the General Assembly of Maryland, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, intituled, “ An act to appoint a health officer for the port of Baltimore, in Baltimore county,” so far as to enable the state aforesaid to collect a duty of one cent per ton on all vessels coming into the district of Baltimore, from a foreign voyage, for the purposes in said act intended.

Affent of Congress given to a law of Maryland, enabling the state to collect a duty on vessels coming from a foreign voyage.

Sec. 2. *And be it further enacted, That this act shall be in force for nine years from the passing thereof; and from thence to the end of the next session of Congress thereafter, and no longer.*

Limitation of the operation of this act.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate pro tempore.

March 1, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXX.

An ACT to amend the Act, entitled " An Act further to amend the act, entitled " An act to lay and collect a direct tax within the United States."

Further time given to the supervisor of Kentucky for the performance of certain duties.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the supervisor of the district of Kentucky is hereby allowed the further time of three months from the end of two years after the completion of the sales of lands within his district, for the payment of the direct tax, to perform the several duties enjoined by the fourth section of the act, entitled " An act further to amend the act, entitled " An act to lay and collect a direct tax within the United States," any thing in the said act to the contrary notwithstanding.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 1, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXI.

An ACT making appropriations for the support of government, for the year one thousand eight hundred and five.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and officers; Specific appropriations. for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of light-houses, beacons, buoys and public piers; for defraying the expenses of surveying the public lands in the territories of Indiana and Mississippi; for the unexpended balances of former appropriations, defraying the expenses of the second census, and the purchase and erection of wharves and stores under the quarantine law; and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are respectively appropriated; that is to say,

For compensations granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, one hundred and ninety-eight thousand, nine hundred and sixty-five dollars :

For the expense of fire wood, stationery, printing, and all other contingent expenses

Specific appropriations.

of the two Houses of Congress, including the sum of three thousand dollars appropriated by the act of the sixth of December, one thousand eight hundred and four, twenty-eight thousand dollars :

For defraying the expenses incidental to the dismantling the late library room of Congress, and fitting it up for the accommodation of the House of Representatives, at the ensuing session, seven hundred dollars :

For expenses of removal of the library, all other contingent expenses of the same, and librarian's allowance for the year one thousand eight hundred and five, nine hundred dollars :

For the expense of labelling, lettering and numbering five thousand seven hundred volumes of laws and journals of the old Congress, directed by the act of the present session for the disposal of certain copies of the laws of the United States to be deposited in the library, five hundred and seventy dollars.

For compensation to the President and Vice-President of the United States, thirty thousand dollars :

For compensation to the Secretary of State, clerks and persons employed in that department, eleven thousand, three hundred and sixty dollars :

For the incidental and contingent expenses in the said department, four thousand two hundred dollars :

For printing and distributing copies of the laws of the second session of the eighth Congress, and printing the laws in newspapers, eight thousand two hundred and fifty dollars :

For printing the laws, and other contingent expenses of the government of the Indiana territory, in consequence of the union with it of that of the territory of Louisiana, three hundred and fifty dollars :

Specific appropriations.

For special messengers charged with dispatches, two thousand dollars :

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, including those engaged on the business belonging to the late office of the commissioner of the revenue, thirteen thousand, four hundred and forty-nine dollars, and eighty-one cents :

For expenses of translating foreign languages, allowance to the person employed in receiving and transmitting passports and sea letters, stationery and printing, one thousand dollars :

For compensation to the Comptroller of the Treasury, clerks and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars, and eight cents :

For expense of stationery, printing, and incidental and contingent expenses in the Comptroller's office, eight hundred dollars :

For compensation to the Auditor of the Treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty dollars, and ninety three cents :

For expense of stationery, printing, and incidental and contingent expenses in the office of the Auditor of the Treasury, five hundred dollars :

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty-seven dollars, and forty-five cents :

Specific ap-
propriations.

For the expense of stationery, printing and incidental and contingent expenses in the Treasurer's office, three hundred dollars :

For compensation to the Register of the Treasury, clerks and persons employed in his office, sixteen thousand and fifty-two dollars :

For expense of stationery and printing in the Register's office, (including books for the public stock and for the arrangement of the marine papers,) two thousand eight hundred dollars :

For compensation to the Secretary of the commissioners of the sinking fund, two hundred and and fifty dollars :

For compensation of the clerks employed for the purpose of making drafts of the several surveys of land in the territory of the United States northwest of the river Ohio, and in keeping the books of the treasury in relation to the sales of lands at the several land offices, two thousand six hundred dollars :

For fuel and other contingent expenses of the treasury department, four thousand dollars :

For defraying the expenses incident to the stating and printing the public accounts for the year one thousand eight hundred and five, one thousand two hundred dollars :

For purchasing books, maps and charts, for the use of the treasury department, four hundred dollars :

For compensation to a superintendant employed to secure the buildings and records of the treasury, during the year one thousand eight hundred and five, including

the expense of two watchmen, and for the repair of two fire engines, buckets, lanterns, and other incidental expenses, one thousand one hundred dollars :

Specific appropriations.

For the erection of a fire proof brick building for the preservation of the records of the treasury ; the cellars in which they have hitherto been kept, being found from their dampness improper for that use, nine thousand dollars :

For compensation to the Secretary of War, clerks and persons employed in his office, eleven thousand, two hundred and fifty dollars :

For the expenses of fuel, stationery, printing, and other contingent expenses of the office of the Secretary of War, one thousand dollars :

For compensation to the Accountant of the war department, clerks and persons employed in his office, ten thousand nine hundred and ten dollars :

For contingent expenses in the office of the Accountant of the war department, one thousand dollars :

For compensation to clerks employed in the paymaster's office, one thousand eight hundred dollars :

For fuel in the said office, ninety dollars :

For compensation to the purveyor of public supplies, clerks and persons employed in his office, including a sum of twelve hundred dollars, for compensation to his clerks in addition to the sum allowed by the act of the second day of March, one thousand seven hundred and ninety-nine, and for expense of stationery,

Specific ap-
propriations.

store rent and fuel for the said office, four thousand six hundred dollars :

For compensation to the Secretary of the Navy, clerks and persons employed in his office, nine thousand one hundred and ten dollars :

For expense of fuel, stationery, printing and other contingent expenses in the office of the Secretary of the Navy, two thousand dollars :

For compensation to the Accountant of the navy, clerks and persons employed in his office, including the sum of one thousand one hundred dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine, ten thousand four hundred and ten dollars :

For contingent expenses in the office of the Accountant of the navy, seven hundred and fifty dollars :

For compensation to the Post master general, assistant post master general, clerks and persons employed in the Post master general's office, including a sum of four thousand five hundred and ninety-five dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine, thirteen thousand nine hundred and fifty-five dollars :

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. exclusive of expenses of prosecution, portmanteaus, mail locks, and other expenses incident to the department, these being paid for by the Post master general out

of the funds of the office, two thousand dollars :

Specific appro-
priations.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars :

For compensation to the clerks of the several commissioners of loans, and an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorised expenses of the several loan offices, thirteen thousand dollars :

For defraying the expense of clerk hire in the office of the commissioner of loans of the state of Pennsylvania, in consequence of the removal of the offices of the treasury department, in the year one thousand eight hundred, to the permanent seat of government, two thousand dollars :

For compensation to the surveyor general, and the clerks employed by him, and for expense of stationery and other contingencies of the surveyor general's office, three thousand two hundred dollars :

For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, stationery, and other contingencies, three thousand two hundred dollars :

For compensation to the officers of the mint :—

The director, two thousand dollars :—

The treasurer, one thousand two hundred dollars :—

The assayer, one thousand five hundred dollars :

The chief coiner, one thousand five hundred dollars :—

Specific appro-
priations.

The melter and refiner, one thousand five hundred dollars :—

The engraver, one thousand two hundred dollars :

One clerk, at seven hundred dollars :

And two, at five hundred dollars, each :

For the wages of persons employed at the different branches of melting, coining, carpenters', mill-wrights' and smiths' work, including the sum of eight hundred dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, six thousand five hundred dollars :

For the repairs of furnaces, cost of rollers and screws, timber, bar-iron, lead, steel, pot-ash, and for all other contingencies of the mint, two thousand nine hundred dollars :

For compensation to the governor, judges, secretary, and legislative council of the territory of Orleans, nineteen thousand two hundred and forty dollars :

For incidental and contingent expenses of the legislative council, and of the secretary of the said territory, two thousand dollars :

For compensation to the governor, judges and secretary of the Mississippi territory, five thousand one hundred and fifty dollars :

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars :

For compensation to the governor, judges and secretary of the Indiana territory, five thousand one hundred and fifty dollars :

For the expenses of stationery, office-rent, and other contingent expenses in the said territory, three hundred and fifty dollars :

Specific appropriations.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, two thousand dollars :

For additional compensation to the clerks of the several departments of state, treasury, war and navy, and of the general post office, not exceeding for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, intituled " An act to regulate and fix the compensation of clerks," eleven thousand eight hundred and eighty-five dollars :

For compensation granted by law to the chief justice, associate judges, and district judges of the United States, including the chief justice, and two associate judges of the district of Columbia, and to the attorney general, fifty-five thousand nine hundred dollars :

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars :

For compensation to the marshals of the districts of Maine, New-Hampshire, Vermont, Kentucky, Ohio, east and west Tennessee, and Orleans, one thousand six hundred dollars :

Specific appro-
priations.

For defraying the expenses of the supreme, circuit and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties, and likewise for defraying the expense of prosecution for offences against the United States, and for safe keeping of prisoners, forty thousand dollars:

For the payment of sundry pensions granted by the late government, nine hundred dollars:

For the payment of an annuity granted to the children of the late colonel John Harding and major Alexander Trueman, by an act of Congress passed the fourteenth of May, one thousand eight hundred, six hundred dollars:

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and five, to the fourth of March, one thousand eight hundred and six, ninety-eight thousand dollars:

For the maintenance and support of light houses, beacons, buoys and public piers, and stakeage of channels, bars and shoals and certain contingent expenses, one hundred and fifteen thousand two hundred and nine dollars, and thirty-six cents:

For fixing buoys in Long-Island sound, in addition to the sums heretofore appropriated for that object, three thousand dollars:

For erecting beacons in the harbour of New-York, in addition to the sums heretofore appropriated for that object, six thousand dollars:

For erecting a beacon and placing buoys near the entrance of Savannah river, being

an expense incurred under the act of the sixteenth day of July, one thousand seven hundred and ninety-eight, (the balance of a former appropriation for the same object, having been carried to the credit of the surplus fund,) two thousand four hundred and ninety-four dollars, and eighty-nine cents : Specific appropriations.

For reviving so much of unexpended balances of appropriations granted by an act passed the sixth of April, one thousand eight hundred and two, and which have been carried to the surplus fund, to wit :

For erecting public piers in the river Delaware, five thousand eight hundred and eighty-eight dollars, and seventy-nine cents :

For erecting certain light houses, and fixing buoys in Long-Island sound, nine thousand six hundred and seventy-eight dollars and thirty-eight cents :

And for building a light house on Cumberland South Point, four thousand dollars :

For completing the light house at the mouth of the Mississippi, and the light house at or near the pitch of cape Lookout, in addition to the sum heretofore appropriated to those objects, by the act of the twenty-sixth of March, one thousand eight hundred and four, twenty thousand dollars :

Towards completing the surveys of public lands in the state of Ohio, and in the Indiana and Mississippi territories, forty thousand dollars :

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the

Specific appropriations.

treasury, and which are of a nature, according to the usage thereof, to require payment in specie, four thousand dollars :

For defraying certain expenses heretofore incurred in the war and navy departments, and which, in due course of settlement in those departments, have been adjusted, and cannot be discharged out of any existing appropriation, twenty thousand dollars :

For the expense of taking the second census of the inhabitants of the United States, being the balance of a former appropriation carried to the surplus fund, fourteen thousand one hundred and sixty-two dollars, and seventy-seven cents :

For the expense of wharves and stores for quarantine of ships and vessels, being the balance of a former appropriation carried to the credit of the surplus fund, seventeen thousand one hundred and forty-three dollars, and one cent :

For the expense of returning the votes for President and Vice-President of the United States for the term commencing the fourth day of March, one thousand eight hundred and five, one thousand six hundred and twenty-four dollars :

For defraying the contingent expenses of government, (the unexpended balance of a former appropriation for the same object, being carried to the credit of the surplus fund,) twenty thousand dollars :

For expenses of intercourse with foreign nations, fifty-seven thousand and fifty dollars :

For the expenses of the intercourse between the United States, and the Barbary

powers, including the compensation of the consuls at Algiers, Morocco, Tunis and Tripoli, sixty-three thousand five hundred dollars : Specific appropriations.

For the contingent expenses of intercourse with the Barbary powers, two hundred thousand dollars :

For the relief and protection of distressed American seamen, five thousand dollars :

For the salaries of the agents at Paris and Madrid, for prosecuting claims in relation to captures, four thousand dollars :

For payment of demands for French vessels and property captured, pursuant to the convention between the United States and the French Republic, the balance of a former appropriation for the same object, by the act of the third of April, one thousand eight hundred and two, having been carried to the surplus fund, twenty-one thousand dollars.

Sec. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act "making provision for the debt of the United States," and out of any monies in the Treasury, not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 1, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXII.

An ACT authorising the discharge of John York from his imprisonment.

John York to
be discharged
from his impri-
sonment.

Conditions pre-
scribed.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the marshal of the district of New-York, be authorised and directed to discharge John York, late a collector of the direct tax, for the eighty-third collection district, in the state of New-York, from his imprisonment, upon a warrant of distress issued against him, by the supervisor of said district: *Provided*, that he take before any judge of the United States, or any judge or justice of the peace of the state of New-York, so much of an oath imposed upon persons imprisoned for debt, by the second section of the act, intituled "An act for the relief of persons imprisoned for debt," as relates to his not having transferred his property, with intent to defraud the United States: and provided, that he shall assign and convey all the estate, real and personal, which he may own or be entitled to, to some person, for the use and benefit of the United States, under the direction of the Secretary of the Treasury: *Provided also*, that any estate, real or personal, which the said John York may hereafter acquire, shall be liable to be taken and sold, in the same manner, as if he had never been

imprisoned and discharged, as aforesaid.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXIII.

An ACT further providing for the government of the territory of Orleans.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorised to establish within the territory of Orleans, a government in all respects similar, (except as is herein otherwise provided,) to that now exercised in the Mississippi territory; and shall, in the recess of the Senate, but to be nominated at their next meeting, for their advice and consent, appoint all the officers necessary therein, in conformity with the ordinance of Congress, made on the thirteenth day of July, one thousand seven hundred and eighty seven, and that from and after the establishment of the said government, the inhabitants of the territory of Orleans, shall be entitled to and enjoy all the rights, privileges, and advantages secured by the said ordinance, and now enjoyed by the people of the Mississippi territory.

President authorised to establish a govt. within the territory of Orleans, similar (except in particular respects) to that of the Mississippi territory:

Officers to be appointed, &c. &c.

The rights secured to the citizens of Mississippi to be extended those of Orleans.

Ordinance of Congress in relation to a general assembly to be in force in Orleans from the 4th July, 1805.

Representatives to be chosen.

Subsequent elections to be regulated by the legislature.

Ratio of representation.

Time of the first meeting of the legislature.

Annual meetings to be held.

Sec. 2. *And be it further enacted*, That so much of the said ordinance of Congress, as relates to the organization of a general assembly, and prescribes the powers thereof, shall, from and after the fourth day of July next, be in force in the said territory of Orleans; and in order to carry the same into operation, the governor of the said territory shall cause to be elected twenty-five representatives, for which purpose he shall lay off the said territory into convenient election districts, on or before the first Monday of October next, and give due notice thereof throughout the same; and shall appoint the most convenient time and place within each of the said districts, for holding the elections: and shall nominate a proper officer or officers to preside at and conduct the same, and to return to him the names of the persons who may have been duly elected. All subsequent elections shall be regulated by the legislature; and the number of representatives shall be determined, and the apportionment made in the manner prescribed by the said ordinance.

Sec. 3. *And be it further enacted*, That the representatives to be chosen as aforesaid shall be convened by the governor, in the city of Orleans, on the first Monday in November next; and the first general assembly shall be convened by the governor as soon as may be convenient, at the city of Orleans, after the members of the legislative council shall be appointed and commissioned; and the general assembly shall meet, at least, once in every year, and such meeting shall be on the first Monday in December, annually, unless

they shall, by law, appoint a different day. Neither House, during the session, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that, in which the two branches are sitting.

Neither House to adjourn without the consent of the other, to another place, or for more than three days.

Sec. 4. *And be it further enacted*, That the laws in force in the said territory, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force, until altered, modified, or repealed by the legislature.

Laws not inconsistent with this act, to continue in force.

Sec. 5. *And be it further enacted*, That the second paragraph of the said ordinance, which regulates the descent and distribution of estates; and also the sixth article of compact which is annexed to, and makes part of said ordinance, are hereby declared not to extend to, but are excluded from all operation within the said territory of Orleans.

Second paragraph of the ordinance of Congress, regulating the descents and distribution of estates, & the 6th art. of compact not to be in force in Orleans.

Sec. 6. *And be it further enacted*, That the governor, secretary, and judges, to be appointed by virtue of this act, shall be severally allowed the same compensation which is now allowed to the governor, secretary, and judges, of the territory of Orleans. And all the additional officers authorised by this act, shall respectively receive the same compensations for their services, as are by law established for similar offices in the Mississippi territory, to be paid quarter yearly out of the revenues of impost and tonnage, accruing within the said territory of Orleans.

Compensations of the officers.

Sec. 7. *And be it further enacted*, That whenever it shall be ascertained by an actual census, or enumeration of the inhabitants of the territory of Orleans, taken by proper authority, that the number of free

People of the territory of Orleans, when the number of free inhabi-

tants shall have amounted to 60,000, permitted to establish a govt. for themselves, & to be admitted into the union as a separate state.

Must establish a republican govt. if any, and one not inconsistent with the constitution of the U. S. or the ordinance of 13th July, 1787.

Congress to retain the privilege of altering the boundaries of the territory of Orleans, before its admission into the union.

No alteration to be made which may defer its admission.

Part of the act erecting Louisiana into two territories, &c. repealed.

inhabitants included therein shall amount to sixty thousand, they shall thereupon be authorised to form for themselves a constitution and state government, and be admitted into the Union upon the footing of the original states, in all respects whatever, conformably to the provisions of the third article of the treaty, concluded at Paris, on the thirtieth of April, one thousand eight hundred and three, between the United States and the French Republic: *Provided*, That the constitution so to be established shall be republican, and not inconsistent with the constitution of the United States, nor inconsistent with the ordinance of the late Congress, passed the thirteenth day of July, one thousand seven hundred and eighty-seven, so far as the same is made applicable to the territorial government hereby authorised to be established: *Provided however*, That Congress shall be at liberty, at any time prior to the admission of the inhabitants of the said territory to the right of a separate state, to alter the boundaries thereof as they may judge proper:—*Except only*, That no alteration shall be made, which shall procrastinate the period for the admission of the inhabitants thereof to the rights of a state government according to the provision of this act.

Sec. 8. *And be it further enacted*, That so much of an act, entitled “ An act erecting Louisiana into two territories, and providing for the temporary government thereof,” as is repugnant with this act, shall, from and after the first Monday of November next, be repealed. And the residue of

the said act shall continue in full force, until repealed, any thing in the sixteenth section of the said act to the contrary notwithstanding.

The rest to remain in force.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice-President of the United States, and

President of the Senate.

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXIV.

An ACT further to amend an act, intituled " An Act regulating the grants of land; and providing for the disposal of the lands of the United States, south of the state of Tennessee."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That persons who may have obtained, or shall obtain certificates from the board of commissioners appointed to ascertain the claims to lands in the Mississippi territory, shall be allowed three months after the respective date of such certificates, for entering the same with the register of the proper land office; and certificates, thus entered, shall have the same force and effect, as if they had been duly entered with the said register, on or before the first day of Ja-

Persons obtaining certificates from the board of commrs. in the Mississippi territory, allowed a further time for entering them with the registers of the proper land offices.

nuary, one thousand eight hundred and five.

Comms. appointed to ascertain the claims to land in the Mississippi territory, east of Pearl river, authorised to grant certificates for land in the island of Nannee Hubba; and persons having claims in that island or east of the Tombigbee, &c. permitted to file them before the 1st May, 1805.

Per diem allowances to the comms. for their attendance after 1st April.

Whole additional allowance limited.

Compensations of the clerks of the boards of comms. in the Mississippi territory.

Claimants under British

Sec. 2. *And be it further enacted*, That the commissioners appointed to ascertain the claims to lands, in the abovementioned territory, east of Pearl river, shall be authorised to grant certificates for lands lying in the island known by the name of Nannee Hubba, formed by the cut off of the river Tombigbee and Alabama; and persons having claims for lands lying either in said island, or east of the Tombigbee and Alabama rivers, shall be permitted to file the same with the register of the land office, till the first day of May, one thousand eight hundred and five; and the commissioners shall decide on the same, in the same manner as if they had been presented before the thirty-first day of March, one thousand eight hundred and four.

Sec. 3. *And be it further enacted*, That each of the last mentioned commissioners, shall be allowed at the rate of six dollars a day, for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and five: *Provided*, That such additional allowance shall not exceed five hundred dollars for each commissioner.

Sec. 4. *And be it further enacted*, That the clerk of each of the boards of commissioners appointed to ascertain the claims to lands in the abovementioned territory, shall be allowed at the rate of seven hundred and fifty dollars a year, from the time when he entered on the duties of his office, to the time when the board shall adjourn sine die.

Sec. 5. *And be it further enacted*, That persons claiming lands in the Mississippi

territory, by virtue of British grants, legally and fully completed, who may not have filed their claims with the proper register of the land office, in conformity with the provisions heretofore made for that purpose, may until the first day of December, one thousand eight hundred and five, file such claims with the register of the land office west of Pearl river, and have the same recorded. And the said register shall on or before the first day of January, one thousand eight hundred and six, make to the secretary of the treasury, a full report of all the British grants thus recorded; which report shall immediately after be laid before Congress. The lands contained in such grants shall not be otherwise disposed of until the end of one year, after that time. And if any such person shall neglect to file such British grant, and to have the same recorded, in the manner and time hereby provided, neither such grant nor any other evidence of such claim, which shall not have been recorded as above directed, shall ever after be considered or admitted as evidence in any court of the United States, against any grant derived from the United States, or against any title, legally and fully executed, derived from the Spanish government;—any act or acts to the contrary notwithstanding.

grants legally and fully completed, allowed a further time for filing their claims with the register of the land office, west of Pearl river.

Register to make report to the Secy. of the Treasury of the grants thus recorded: the report then to be laid before Congress.

The lands included in the grants not to be disposed of for one year.

Grants not filed, &c according to this act to be no bar to other grants properly derived from the Spanish or American govts.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States,
and President of the Senate.*

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXV.

An ACT for the relief of the widow and orphan children of Robert Elliott.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two thousand dollars, be allowed to the widow of Robert Elliott, who was killed by a party of hostile Indians while he was conducting necessary supplies to the army, commanded by major general Wayne, in the year one thousand seven hundred and ninety-four, and that the same be paid to her, for the use of herself and the children of the said Robert Elliott, out of any monies in the treasury not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR.

Vice-President of the United States, and President of the Senate.

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVI.

An ACT for ascertaining and adjusting the titles and claims to land, within the territory of Orleans, and the district of Louisiana.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person or persons, and the legal represen-

tatives of any person or persons, who on the first day of October, in the year one thousand eight hundred, were resident within the territories ceded by the French Republic to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, and who had prior to the said first day of October, one thousand eight hundred, obtained from the French or Spanish governments respectively, during the time either of the said governments had the actual possession of said territories, any duly registered warrant, or order of survey for lands lying within the said territories to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands in the same manner as if their titles had been completed: *Provided however*, That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted, was at the time of its date, either the head of a family, or above the age of twenty-one years; nor unless the conditions and terms on which the completion of the grant might depend, shall have been fulfilled.

Persons residing in the ceded territories on the 1st Oct. 1800, who held lands under French or Spanish grants, to which the Indian title has been extinguished, and which were settled or occupied on that day for or by these persons, confirmed in their titles.

Provido.

Sec. 2. *And be it further enacted*, That to every person, or to the legal representative or representatives of every person, who being either the head of a family, or twenty one years of age, had prior to the twentieth day of December, one thousand eight hundred and three, with the permission of the proper Spanish officer, and in confor-

Grants to actual settlers of the lands occupied by them, with the permission

on of the
proper Span-
ish officer,
and in con-
formity with
the Spanish
usages, &c.

mity with the laws, usages and customs of the Spanish government, made an actual settlement on a tract of land within the said territories, not claimed by virtue of the preceding section, or of any Spanish or French grant made and completed before the first day of October, one thousand eight hundred, and during the time the government which made such grant, had the the actual possession of the said territories, and who did on the said twentieth day of December, one thousand eight hundred and three, actually inhabit and cultivate the said tract of land; the tract of land thus inhabited and cultivated, shall be granted :

Provido.

Provided however, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than one mile square, together with such other and further quantity, as heretofore has been allowed for the wife and family of such actual settler, agreeably to the laws, usages and customs of the Spanish government : *Provided also,* That this donation shall not be made to any person who claims any other tract of land in the said territories by virtue of any French or Spanish grant.

Provido.

Sec. 3. *And be it further enacted,* That for the purpose of more conveniently ascertaining the titles and claims to land in the territory ceded as aforesaid, the territory of Orleans shall be laid off into two districts, in such manner as the President of the United States shall direct ; in each of which, he shall appoint, in the recess of the Senate, but who shall be nominated at their next meeting, for their advice and con-

Territory of
Orleans to be
laid off into
two districts,
for the ascer-
tainment of
land titles
therein :

A register to
be appointed

sent, a register; who shall receive the same annual compensation, give security in the same manner, and in the same sums, and whose duties and authorities shall in every respect be the same in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the registers in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky river. The President of the United States shall likewise appoint a recorder of land titles in the district of Louisiana, who shall give security in the same manner, and in the same sums, and shall be intitled to the same annual compensation, as the registers of the several land offices.

for this purpose in each:

His compensation, duties, &c.

A recorder of land titles to be appointed for Louisiana district.

His compensation, &c.

Sec. 4. *And be it further enacted*, That every person claiming lands in the above-mentioned territories, by virtue of any legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred, and during the time the government which made such grant, had the actual possession of the territories, may, and every person claiming lands in the said territories, by virtue of the two first sections of this act, or by virtue of any grant or incomplete title, bearing date subsequent to the first day of October, one thousand eight hundred, shall, before the first day of March, one thousand eight hundred and six, deliver to the register of the land office, or recorder of land titles, within whose district the land may be, a notice in writing, stating the nature and extent of his claims, together with a

Persons claiming lands in the abovementioned territories under French or Spanish grants, &c. to have their claims recorded, &c.

By whom
the foregoing claims
are to be re-
corded, and
the officer's
fees, &c. for
recording
them.

Provido.

plat of the tract or tracts claimed; and shall also on or before that day, deliver to the said register or recorder, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the register or recorder, or by the translator hereinafter mentioned, in books to be kept by them for that purpose, on receiving from the parties, at the rate of twelve and an half cents for every hundred words contained in such written evidence of their claim: *Provided however*, That where lands are claimed by virtue of a complete French or Spanish grant as aforesaid, it shall not be necessary for the claimant to have any other evidence of his claim recorded, except the original grant or patent, together with the warrant or order of survey, and the plat; but all the other conveyances or deeds shall be deposited with the register or recorder, to be by them laid before the commissioners hereinafter directed to be appointed, when they shall take the claim into consideration. And if such person shall neglect to deliver such notice in writing of his claim, together with the plat as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the two first sections of this act, shall become void, and forever thereafter be barred; nor shall any incomplete grant, warrant, order of survey, deed of conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered, or admitted as evidence in any court of the United States,

against any grant derived from the United States. The said register and recorder shall commence the duties hereby enjoined on them, on or before the first day of September next, and continue to discharge the same, at such place in their respective districts, as the President of the United States shall direct.

Register and recorder to commence the execution of their offices on or before the 1st Sept.

Sec. 5. *And be it further enacted*, That two persons to be appointed by the President alone, for the district of Louisiana, and two persons, to be in the same manner appointed for each of the districts directed by this act to be laid off in the territory of Orleans, shall, together with the register or recorder of the district for which they may be appointed, be commissioners for the purpose of ascertaining within their respective districts, the rights of persons claiming under any French or Spanish grant as aforesaid, or under the two first sections of this act. The said commissioners shall previous to their entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same:—" I do

Commissioners to be appointed for the district of Louisiana, and the districts to be laid off under this act for ascertaining land titles, &c.

The oath of office which they must take.

solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed on me by an act of Congress, entitled ' An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,' to the best of my skill and judgment." It shall be the duty of the said commissioners to meet in their respective districts, at such place as the President shall have directed therein, for the residence of the

To meet in their respective districts at such places as may be the

residence of
the recorders,
registers, &c.
on or before
the 1st Dec.
and not to ad-
journ 'till
they shall
have finished
their busi-
ness.

Powers of
the boards of
commission-
ers.

Decisions of
the boards to
be laid before
Congress.

Proviso.

register or recorder, on or before the first day of December next, and they shall not adjourn to any other place, nor for a longer time than three days, until the first day of March, one thousand eight hundred and six, and until they shall have completed the business of their appointment. Each board, or a majority of each board, shall, in their respective districts, have power to hear and decide in a summary manner, all matters respecting such claims, also to administer oaths, to compel the attendance of, and examine witnesses, and such other testimony as may be adduced, to demand and obtain from the proper officer and officers, all public records, in which grants of land, warrants, or orders of survey, or any other evidence of claims to land, derived from either the French or Spanish governments, may have been recorded; to take transcripts of such record or records, or of any part thereof; to have access to all other records of a public nature, relative to the granting, sale, transfer, or titles of lands, within their respective districts; and to decide in a summary way, according to justice and equity, on all claims filed with the register or recorder, in conformity with the provisions of this act, and on all complete French or Spanish grants, the evidence of which, though not thus filed, may be found of record on the public records of such grants; which decisions shall be laid before Congress in the manner hereinafter directed, and be subject to their determination thereon: *Provided however,* That nothing in this act contained, shall be construed so as to recognise any grant or in-

complete title, bearing date subsequent to the first day of October, one thousand eight hundred, or to authorise the commissioners aforesaid to make any decision thereon. The said boards respectively shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made, which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices, or of the recorder of land titles of the district; and the said clerk shall prepare two transcripts of all the decisions made by the commissioners in favor of the claimants to land; both of which shall be signed by a majority of the said commissioners, and one of which shall be transmitted to the officer exercising in the district the authority of surveyor general; and the other to the Secretary of the Treasury. It shall likewise be the duty of the said commissioners, to make to the Secretary of the Treasury a full report of all the claims filed with the register of the proper land office, or recorder of land titles, as above directed, which may have been rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; which reports, together with the transcripts of the decisions of the commissioners in favor of the claimants, shall be laid by the Secretary of the Treasury before Congress, at their next ensuing meeting. When any Spanish or French grant, warrant, or or-

The boards
to appoint a
clerk.—

His duties.

Transcripts
of decisions
in favor of
claimants,
what to be
done with
them.

Reports of
rejected
claims like-
wise to be
made:

and to be
laid by the
Sec'y. of the
Treasury be-
fore Con-
gress.

Grants antedated or otherwise defective, not to be considered as conclusive evidence of title.

Compensations of the commissioners' clerks, &c. and their oaths of office, &c.

Agents to be employed for each board of commissioners.

der of survey, as aforesaid, shall be produced to either of the said boards, for lands, which were not at the date of such grant, warrant, or order of survey, or within one year thereafter, inhabited, cultivated, or occupied, by or for the use of the grantee; or whenever either of the said boards shall not be satisfied that such grant, warrant, or order of survey, did issue at the time when the same bears date, but that the same is antedated or otherwise fraudulent; the said commissioners shall not be bound to consider such grant, warrant, or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper. Each of the commissioners, and clerks aforesaid shall be allowed a compensation of two thousand dollars in full for his services as such; and each of the said clerks shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation—to wit: “ I do solemnly swear (or affirm) that I will truly, and faithfully discharge the duties of a clerk to the board of commissioners, for examining the claims to land, as enjoined by an act of Congress, entitled “ An act ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana.” Which oath or affirmation shall be entered on the minutes of the board.

Sec. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby authorised to employ three agents, one for each board, and whose compensation shall not exceed one thousand

five hundred dollars each, for the purpose of appearing before the commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as said agents may deem fraudulent, and unfounded. It shall also be the duty of the said agent for the district of Louisiana, to examine into, and investigate the titles and claims, if any there be, to the lead mines within the said district, to collect all the evidence within his power, with respect to the claims to, and value of the said mines, and to lay the same before the commissioners, who shall make a special report thereof, with their opinions thereon, to the Secretary of the Treasury, to be by him laid before Congress, at their next ensuing session. The said board of commissioners shall each be authorised to employ a translator of the Spanish and French languages, to assist them in the dispatch of the business which may be brought before them, and for the purpose of recording Spanish and French grants, deeds, or other evidences of claims on the registers' books. The said translator shall receive, for the recording done by him, the fees already provided by law, and may be allowed, not exceeding fifty dollars, for every month he shall be employed; provided that the whole compensation, other than that arising from fees, shall not exceed six hundred dollars.

Sec. 7. *And be it further enacted*, That the powers vested by law in the surveyor of the lands of the United States, south of the state of Tennessee, shall extend over all the public lands of the United States, to which the Indian title has been, or shall

Their compensations not to exceed 1,500 dollars each.

Their duties:

Agent for the district of Louisiana to collect information concerning the title to the lead mines, the value thereof, &c. and lay it before the commissioners, who will make a special report thereof to the Sec'y of the Treasury, to be laid before Congress.

Board of commrs. authorised to employ a translator of the Spanish and French languages, to assist in the dispatch of business, and to record Spanish or French claims &c.

Fees to the translator, and a monthly compensation for his services.

Powers of the surveyor of lands south of the state of Tennessee to

extend over those of the United States to which the Indian title is extinguished within the territory of Orleans:—made his duty to cause these lands to be surveyed and divided, upon the direction of the President, in the same manner, etc. as those of the U. S. N. W. of the Ohio river, etc.

Gen. La Fayette's locations.

How and where to be made.

Proviso.

Appropriation for carrying this law into effect.

hereafter be extinguished, within the said territory of Orleans; and it shall be the duty of the said surveyor, to cause such of the said lands, as the President of the United States shall expressly direct, to be surveyed, and divided, as nearly as the nature of the country will admit, in the same manner, and under the same regulations as is provided by law, in relation to the lands of the United States north-west of the river Ohio, and above the mouth of Kentucky river.

Sec. 8. *And be it further enacted*, That the location, or locations of lands which major general La Fayette is by law authorised to make on any lands, the property of the United States, in the territory of Orleans, shall be made with the register or registers of the land offices established by this act in the said territory: the surveys thereof shall be executed under the authority of the surveyor of the lands of the United States, south of Tennessee; and a patent or patents therefor shall issue, on presenting such surveys to the Secretary of the Treasury, together with a certificate of the proper register, or registers, stating that the land is not rightfully claimed by any other person: *Provided*, That no location or survey made by virtue of this section shall contain less than one thousand acres, nor include any improved lands or lots, salt spring or lead mine.

Sec. 9. *And be it further enacted*, That a sum not exceeding fifty thousand dollars, to be paid out of any unappropriated monies in the treasury, be, and the same is

hereby appropriated for the purpose of carrying this act into effect.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVII.

An ACT to authorise the Secretary of War to issue military land warrants ; and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of war be, and he hereby is authorised from and after the passing of this act, to issue warrants for military bounty lands to the sixty-three persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same, to the Secretary of War; and also, to such persons as shall, before the first day of April next, produce to him satisfactory evidence of the validity of their claims, in pursuance of the act of the twenty-sixth of April, eighteen hundred and two, intituled " An act in addition to an act, intituled " An act in addition to an act, regulating the grants of land appropriated for military services, and for the society of the

Sec'y of war
authorised to
issue warrants
for military
bounty land
to certain
persons re-
ferred to;—

and to others,
producing sa-
tisfactory e-
vidence of
their claims
before the 1st
April, etc.

United Brethren for propagating the gospel among the Heathen."

Where the
foregoing
warrants may
be located.

Sec. 2. *And be it further enacted*, That the holders or proprietors of the land warrants issued by virtue of the preceding section, shall and may locate their respective warrants only on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, which had been reserved for original holders, by virtue of the fifth section of an act, intituled "An act in addition to an act, intituled "An act regulating the grants of land appropriated for military services, and for the society of the United Brethren, for propagating the gospel among the Heathen."

Former act
continued in
force 'till the
1st March,

Sec. 3. *And be it further enacted*, That the act, intituled "An act in addition to an act, intituled "An act in addition to an act, regulating the grants of lands appropriated for military services, and for the society of the United Brethren for propagating the gospel among the Heathen," approved the twenty sixth day of April, eighteen hundred and two, be, and the same is hereby continued in force until the first day of March, eighteen hundred and six.

NATHL. MACON,

Speaker of the House of Representatives,

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVIII.

An ACT to amend the act, intituled " An act for the government and regulation of seamen in the merchants' service."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the provisions, regulations, and penalties which are contained in the eighth section of the act, intituled " An act for the government and regulation of seamen in the merchants' service," so far as relates to a chest of medicines to be provided for vessels of one hundred and fifty tons burthen, and upwards, shall be extended to all merchant vessels of the burthen of seventy-five tons, or upwards, navigated with six persons or more, in the whole, and bound from the United States to any port or ports in the West Indies.

Regulations of the 8th sec. of the act referred to, so far as that section relates to a medicine chest for a vessel of 150 tons extended to smaller vessels, etc.

NATHL. MACON,

Speaker of the House of Representatives,

A. BURR,

Vice-President of the United States, and

President of the Senate.

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXIX.

An ACT to appropriate a sum of money for the purpose of building gun boats.

Appropriation for building a number of gun boats.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of sixty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the purpose of enabling the President to cause to be built a number of gun boats, not exceeding twenty-five, for the better protection of the ports and harbours of the United States.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice-President of the United States, and President of the Senate,

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER XC.

An ACT to authorise the erection of a bridge across a mill pond and marsh in the Navy Yard, belonging to the United States, in the town of Brooklyn, in the state of New-York.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and

he hereby is authorised, by a proper instrument in writing under his hand, in due form, to grant to such person or persons, or body corporate, by their proper name of incorporation, as shall be authorised by an act of the legislature of the state of New-York, to open and improve a road from Brooklyn ferry, in that state, along the shore of the Wallaboght, to Bushwick, to erect a bridge across the mill pond and marsh, being part of the navy yard belonging to the United States, in the said town of Brooklyn, and to maintain such bridge under such restrictions and on such conditions as he shall prescribe: *Provided nevertheless*, that if at any future time, it shall appear to the President of the United States, that the property of the United States is injured by such bridge, he may revoke the permission granted by him for erecting the same:

President authorised to grant permission for opening and improving a road from Brooklyn ferry, etc. in N. York, to erect a bridge across a part of the navy yard of the U. S. in the said town, etc.

Proviso.

And provided also, That no toll shall be demanded at any time for any article the property of the United States which may be conveyed to or for their use, over or across the said bridge, or from any person or persons employed in the said navy yard, who may pass or repass on the said bridge.

Proviso.

NATHL. MACON,

Speaker of the House of Representatives.

, A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 2, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER XCI.

An ACT further providing for the government of the district of Louisiana.

District of Louisiana changed into that of the territory of Louisiana, with a different govt.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the country ceded by France to the United States, under the general name of Louisiana which by an act of the last session of Congress was erected into a separate district, to be called the district of Louisiana, shall henceforth be known and designated by the name and title of the territory of Louisiana, the government whereof shall be organised and administered as follows :

Executive power vested in a govt.

How appointed, etc.

His powers and authorities.

The executive power shall be vested in a governor, who shall reside in said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States : He shall be commander in chief of the militia of the said territory, superintendant ex officio of Indian affairs, and shall appoint and commission all officers in the same, below the rank of general officers ; shall have power to grant pardons for offences against the same, and reprieves for those against the United States, until the decision of the President thereon shall be known.

Sec'y to be appointed—

His duties, etc.

Sec. 2. There shall be a secretary, whose commission shall continue in force for four years, unless sooner revoked by the President of the United States, who shall reside in the said territory, and whose duty it shall be, under the direction of the governor, to

record and preserve all the papers and proceedings of the executive, and all the acts of the governor and of the legislative body, and transmit authentic copies of the same every six months, to the President of the United States. In case of a vacancy of the office of governor, the government of the said territory shall be exercised by the secretary.

His duties
&c.

Sec. 3. The legislative power shall (be) vested in the governor and in three judges, or a majority of them, who shall have power to establish inferior courts in the said territory, and prescribe their jurisdiction and duties, and to make all laws which they may deem conducive to the good government of the inhabitants thereof: *Provided however*: That no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint or disability on account of his religious opinions, profession, or worship, in all of which he shall be free to maintain his own and not be burthened with those of another. *And provided also*, That in all criminal prosecutions, the trial shall be by a jury of twelve good and lawful men of the vicinage, and in all civil cases of the value of one hundred dollars, the trial shall be by jury, if either of the parties require it. And the governor shall publish throughout the said territory, all the laws which may be made as aforesaid, and shall from time to time report the same to the President of the United States, to be laid before Congress, which if disapproved of by Congress, shall thenceforth cease and be of no effect.

Legislative
powers, in
whom and
how vested.

Proviso.

Proviso.

Judges to be appointed, to hold their offices for four years, to hold two courts in a year.

At what place.

Their jurisdiction.

Sec. 4. There shall be appointed three judges, who shall hold their offices for the term of four years, who or any two of them, shall hold annually two courts within the said district, at such place as will be most convenient to the inhabitants thereof in general : shall possess the same jurisdiction which is possessed by the judges of the Indiana territory, and shall continue in session until all the business depending before them shall be disposed of.

Governor to lay out the territory into districts, &c.

Sec. 5. *And be it further enacted*, That for the more convenient distribution of justice, the prevention of crimes and injuries, and execution of process criminal and civil, the governor shall proceed from time to time as circumstances may require, to lay out those parts of the territory in which the Indian title shall have been extinguished, into districts, subject to such alteration as may be found necessary ; and he shall appoint thereto such magistrates and other civil officers as he may deem necessary whose several powers and authorities shall be regulated and defined by law.

To appoint magistrates, &c, for the same.

Compensations of the Governor &c.

Sec. 6. *And be it further enacted*, That the governor, secretary and judges, to be appointed by virtue of this act, shall respectively receive the same compensations for their services as are by law established for similar offices in the Indiana territory, to be paid quarter yearly out of the treasury of the United States.

Oaths of office of the Governor, &c.

Sec. 7. *And be it further enacted*, That the governor, secretary, judges, justices of the peace, and all other officers civil or military, before they enter upon the duties of

their respective offices, shall take an oath, or affirmation, to support the constitution of the United States, and for the faithful discharge of the duties of their office ; the governor before the President of the United States, or before a judge of the supreme or district court of the United States, or before such other person as the President of the United States shall authorise to administer the same ; the secretary and judges before the governor ; and all other officers before such person as the governor shall direct.

Sec. 8. *And be it further enacted*, That the governor, secretary, and judges, to be appointed by virtue of this act, and all the additional officers authorised thereby, or by the act for erecting Louisiana into two territories, and providing for the temporary government thereof, shall be appointed by the President of the United States, in the recess of the Senate, but shall be nominated at their next meeting for their advice and consent.

Governor, &c. to be appointed by the President during the recess of the Senate ; but to be nominated by him at the next succeeding session for the Senate's concurrence.

Sec. 9. *And be it further enacted*, That the laws and regulations, in force in the said district, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force, until altered, modified, or repealed by the legislature.

Laws in force to continue in force, unless they be inconsistent with this act.

Sec. 10. *And be it further enacted*, That so much of an act, entitled " An act erecting Louisiana into two territories, and providing for the temporary government thereof," as is repugnant to this act, shall, from and after the fourth day of July next, be repealed, on which said fourth day of Ju-

Repeal of part of a former law.

ly, this act shall commence and have full force.

NATHL. MACON,

Speaker of the House of Representatives.

JOS: ANDERSON,

President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER XCI.

AN ACT to amend the charter of George Town.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the second Monday in March current, the corporation of George Town, in the district of Columbia, shall be divided into two branches; the first branch to be composed of five members, and a recorder, and to be called 'the board of aldermen;' and the second branch to be composed of eleven members, and to be called 'the board of common council men;' which said two branches shall be elected as hereafter particularly provided.

Sec. 2. *And be it further enacted, That after the passage of this act, and before the*

Corporation of George Town divided into two branches, after the 2nd Monday in March. The first, how constituted. Second, how constituted.

said day above mentioned, the present members of the said corporation shall meet at their usual place of meeting, and then and there choose, by ballot, from their body, five persons to compose the said board of aldermen, which said persons, when chosen as aforesaid, shall compose the said board of aldermen, and be, and continue such, until the fourth Monday in February, one thousand eight hundred and six; and that the present recorder of the said corporation shall be the President of the said board of aldermen, until the time last aforesaid: that the other members of the said corporation, (except the mayor,) shall compose the said second branch, called the board of common council men, and be and continue such, until the time aforesaid, and shall choose out of their own body a president, to be and continue such until the time aforesaid; and when thus organised, said corporation shall have, exercise, and possess, all the powers and rights now vested in the said corporation, and to be herein and hereby vested in them.

Sec. 3. *And be it further enacted*, That the present mayor of the corporation of George Town, shall be, and continue such, until the first Monday of January next.

Sec. 4. *And be it further enacted*, That on the fourth Monday of February next, the free white male citizens of George Town, of full age, and having resided within the town aforesaid, twelve months previously, and having paid tax to the corporation, shall assemble at a place to be appointed, as hereafter directed, and then and there shall proceed to elect, by ballot,

Members of the corporation forthwith to choose by ballot, out of their own body, the board of aldermen, or 1st branch.

Term of their service. Present recorder to be the president of the board of aldermen for this term. 2nd branch, or board of common council men, to be composed of the other members of the corporation, excepting the mayor, shall have their own president, &c. Powers, &c. of the corporation thus organized

An election to be held.

Qualifications of the voters.

For the board of aldermen, five fit and proper persons, citizens of the United States, and residents of the said town, one whole year next before the said day of election, above twenty one years of age, and having paid a tax to said corporation, to compose the said board of aldermen ; and shall also, at the same time, proceed as aforesaid, to elect eleven fit and proper persons, having the qualifications last aforesaid, to compose the said board of common council ; the said board of aldermen to continue two years, and the said board of common council to continue one year : and the said mayor, together with such other fit persons as shall be named and appointed by the said corporation, shall be judges of the election, and the five persons voted for as aldermen, who shall have the greatest number of legal votes, on the final casting up of the polls, shall be declared duly elected for the board of aldermen : and the eleven persons voted for as common council, who shall have the greatest number of legal votes upon the final casting up of the polls, shall be declared duly elected for the board of common council ; and that the like election for aldermen be held on the fourth Monday in February, every two years thereafter ; and for the said common council, on the said fourth Monday in February, annually, forever thereafter.

Annual and biennial elections for the aldermen and common council men, to be held.

Two branches, by joint votes, to make annual appointments of a mayor and recorder.

Sec. 5. *And be it further enacted*, That on the first Monday of January next, and on the same day, annually, forever thereafter, the said corporation shall, by a joint ballot of the said two branches present, choose some fit and proper person to be

mayor of the said corporation, and some fit and proper person, learned in the law, to be the recorder of the said corporation, to continue in office one year.

Sec. 6. *And be it further enacted, That* the said mayor, before he acts as such, and the said recorder, before he acts as such, shall, respectively, make oath, before some justice of the peace, for the county of Washington aforesaid, in the presence of both branches of the said corporation, that he will well and faithfully discharge the several and respective duties of his office; and that each member of the said two branches shall, before he acts as such, in the presence of the corporation, take an oath to discharge the duties and trust reposed in him, with integrity and fidelity.

Oaths of office, &c.

Sec. 7. *And be it further enacted, That* four members of the board of aldermen, and seven members of the board of common council, shall form a quorum to do business:—the said corporation shall hold two sessions in each year; one to commence on the first Monday in March, and the other on the first Monday in December, with power to adjourn from day to day, to be held at such place as the mayor may designate, not otherwise provided for by ordinance: *Provided always, That* the mayor shall have power, on urgent occasions, to convene said corporation, on application of at least five members, in writing, giving reasonable notice of such intended meeting.

Quorums for doing business.

Semi annual sessions to be held.

Proviso.

Sec. 8. *And be it further enacted, That* each of the said branches shall judge of the elections, qualifications and returns of its

The two branches to be judges of the elections

and returns,
of their own
members, &c.

Ordinances
may originate
in either
branch, but
must be ap-
proved of by
the mayor to
become laws ;
if approved
of to be
signed by
him. If dis-
approved of,
to be returned
with his ob-
jections in
writing, &c.
upon a recon-
sideration, on
a majority of
two thirds,
the ordinan-
ces may not-
withstanding
become laws.

Clerk of the
corporation
to record the
laws and re-
solutions and
to have them
published.

Recorder to
have a cast-
ing vote.

own members, and may compel the attendance of the members of each branch by reasonable penalties : and either branch shall have power to appoint their president, pro tempore, in case of the absence of the one duly chosen, as aforesaid, any ordinance may originate in either branch, and no ordinance shall be passed, but by a majority of both branches, nor unless it shall pass both branches during the same session, and be approved of by the mayor, who shall sign the same, unless he objects thereto, within forty-eight hours from the time the same is presented to him for signature ; if he does so object, he shall immediately return the same to the said corporation, with his objections, in writing, and if, on reconsideration two thirds of each branch of the corporation shall be of opinion that the said law ought to be passed, it shall, notwithstanding the objections of the mayor, become a law ; and he shall sign the same ; if the said mayor shall not return his objections to the same, to the said corporation, within the time aforesaid, it shall become a law, and shall be signed by him : the clerk of the corporation shall record, in a book to be kept by him for that purpose, all the laws and resolutions which shall be passed as aforesaid, and deliver a copy of them to the public printer, to be printed by him for the use of the people.

Sec. 9. *And be it further enacted,* That in case the aldermen composing the first branch, shall at any time, on any question before them, be equally divided, the recorder shall have the casting vote, and determine such question to the same effect

as if the same had been determined by a majority of the aldermen present; and similar power is hereby given to the president of the second branch in case of an equal division in that body.

Same power
given to the
President of
2nd branch

. Sec. 10. *And be it further enacted*, That it shall be the duty of the mayor to see that the laws of the corporation be duly executed, and to report the negligence or misconduct of any officer to the said corporation who, on satisfactory proof thereof, may remove from office the said delinquent, or take such other measures, thereupon as shall be just and lawful; he shall lay before the said corporation, from time to time, in writing, such alterations in the laws of the said corporation as he shall deem necessary and proper, he shall have and exercise the powers of a justice of the peace in the said town, and shall receive for his services, annually, a just and reasonable compensation to be allowed and fixed by the said corporation: no person shall be eligible to the said office of mayor unless a citizen of the United States, of the age of thirty years, a resident of the said town for five years then last past, and unless he shall have paid a tax to said corporation.

Mayor to see
that the laws
be executed,
&c. &c.

Delinquents
may be re-
moved from
office by the
corporation.
Mayor to lay
before the cor-
poration, in
writing, such
alterations in
the laws, as
he may deem
necessary, to
exercise the
powers of a
justice of the
peace, and to
receive an an-
nual compen-
sation.
Qualifica-
tions of the
Mayor.

Sec. 11. *And be it further enacted*, That in case of a vacancy in either branch of the said corporation, by death, removal or otherwise, of either of the members, a fit person or persons qualified, as aforesaid, shall be elected by the people, in the manner aforesaid, to fill such vacancy immediately thereafter; the mayor giving however at least five days notice of such election: and in case of the vacancy of the mayor or recorder, the said corporation

Vacancies in
either branch,
how to be
supplied.

Corporation
to fill the va-
cancies in the
office of

mayor and
recorder.

shall, within five days thereafter, as herein before directed, proceed to the choice of a fit person or persons, qualified, as aforesaid, to fill his or their place.

Specific powers
of the cor-
poration.

Sec. 12. *And be it further enacted*, That the said corporation shall have power to impose a tax, not exceeding in any one year, fifty cents in the hundred dollars, on all property within the said town; and the sessions of the said corporation shall be held as heretofore, until the said second Monday in March current; and the said corporation shall have, possess and enjoy, all the rights, immunities, privileges and powers heretofore enjoyed by them; and shall be called by the same name as heretofore, and shall have perpetual succession; and in addition thereto, they shall have power to regulate the inspection of flour and tobacco in said town; to prevent the introduction of contagious diseases within said town and precincts; to establish night watches and patrols, and erect lamps; to regulate the stationing, anchorage and mooring of vessels; to provide for regulating and licensing ordinaries, auctions and retailers of liquors, hackney carriages, waggons, carts and drays within said town and precincts; to restrain or prohibit gambling; to provide for licensing, regulating or restraining theatrical or other public amusements; to regulate and establish markets; to pass all laws for the regulation of weights and measures; to provide for the licensing and regulating the sweeping of chimneys and fixing the rates thereof; to establish and regulate fire wards and fire companies; to regulate and establish the size of bricks to be made and used within

Specific powers of the corporation.

said town ; the inspection of salted provisions, and the assize of bread ; to sink wells and erect and repair pumps in the streets ; to impose and appropriate fines, penalties and forfeitures for breach of their ordinances ; to erect workhouses ; to open, extend, and regulate streets within the limits of the said town ; provided they make to the person or persons who may be injured by such opening, extension or regulation just and adequate compensation, to be ascertained by the verdict of an impartial jury, to be summoned and sworn by a justice of the peace of the county of Washington, and to be formed of twenty three men, who shall proceed in like manner as has been usual in other cases where private property has been condemned for public use ; and they shall have the power of restraining, regulating and directing the manner of building wharves and docks ; also to direct the manner in which the improvements thereon to be erected, shall be made, so that they may not become injurious to the health of the town ; in addition to the power heretofore granted to the said corporation by the act of Congress, entitled “ An act additional to, and amendatory of an act, entitled ‘ An act concerning the district of Columbia,’ of laying a tax of two dollars per foot front for paving the streets, lanes and alleys of the said town ; they shall have the power upon petition, in writing, of a majority of the holders of the real property fronting on any street or alley, if, in their judgment it shall be deemed necessary, to lay such further and additional sum on each front foot, on said street, or part of a street, as will be sufficient to pave said street or

Specific powers of the corporation.

part of a street, lane or alley, so petitioned for; and the like remedy shall be used for the recovery thereof, as is now used for the recovery of the public county taxes in the said county of Washington; and they shall have power by ordinance to direct or order the paved streets to be cleansed and kept clean, and appoint an officer for that purpose; to make and keep in repair all necessary sewers and drains, and to pass regulations necessary for the preservation of the same.

Duties on licences to ensure to the benefit of the corporation. Further grant of powers to the corporation.

SEC. 13. *And be it further enacted*, That the duties on all licenses to be granted as aforesaid, shall be to and for the proper use and benefit of the said corporation; and the said corporation shall have power to pass all laws not inconsistent with the laws of the United States, which may be necessary to give effect and operation to all the powers vested in the said corporation; and to appoint constables and collectors of the taxes, and all other officers who may be deemed necessary for the execution of their laws, whose duties and powers shall be prescribed in such manner as the said corporation shall deem fit for the purpose aforesaid.

Local extent of the corporation's jurisdiction.

A survey to be made to ascertain the precise limits.

SEC. 14. *And be it further enacted*, That the jurisdiction of the said corporation shall extend to the limits of the original plan of said town, and to such additions as are recognized by law; and that a survey as soon as conveniently may be after the passage of this law, shall be made, under the direction of the said corporation, ascertaining said limits, and a plat thereof made and returned to said corporation, which

when approved of by them, shall be preserved, and become a record.

NATH^L. MACON.

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER XCII.

An act supplementary to the act, entitled " An act making an appropriation for carrying into effect the convention between the United States of America, and his Britannic Majesty."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary of the treasury be authorised to cause the last payment due under the convention of the eighth day of January, one thousand eight hundred and two, between the United States of America, and his Britannic majesty, to be made in Great

Last payment due under the convention may be made in Great Britain.

Provido.

Britain: *Provided*, that the same may be effected without any risk to the United States.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH : JEFFERSON.

CHAPTER XCIII.

AN ACT to establish the districts of Gennessee, of Buffaloe Creek and of Miami; and to alter the port of entry of the district of Erie.

District of
Gennessee
established.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirty first day of March next, all the shores and waters of the lake Ontario, and the rivers and waters connected therewith, lying within the jurisdiction of the United States, and within the state of New York, to the westward of the western extremity of Sodus bay, but excluding all the rivers and waters emptying into the said bay, and to the eastward of the eastern extremity of a certain creek or bay, lying between Niagara and the Gennessee river,

and known by the name of Oak Orchard creek, shall be a district, to be called the district of Genessee, of which the river Genessee shall be the sole port of entry; and a collector for said district shall be appointed, to reside on the river Genessee.

Collector to be appointed, &c. &c.

Sec. 2. *And be it further enacted*, That all the shores, rivers and waters heretofore belonging to the district of Niagara, which empty into Lake Erie, or into the river Niagara, above the falls of Niagara, shall, from and after the thirty first day of March next, be a district, to be called the district of Buffaloe Creek, of which Buffaloe Creek shall be the sole port of entry; and a collector for the said district shall be appointed, to reside on Buffaloe Creek.

District of Buffaloe creek established.

Collector to be appointed, &c. &c.

Sec. 3. *And be it further enacted*, That from and after the thirty first day of March next, all the shores, rivers and waters of lake Erie, within the jurisdiction of the United States, which lie between the west bank of Vermilion river, and the north cape, or extremity of Miami bay, into which the river Miami of lake Erie empties itself, and including all the waters of the said river Miami, shall be a district, to be called the district of Miami; and the President of the United States is authorised to establish such place at or near Sandusky, or on the said river Miami, to be the port of entry, as he shall judge expedient, and also to establish, not exceeding two other places, to be ports of delivery only; and a collector for the said district shall be appointed, to reside at the port of entry, and surveyors to reside at such ports of delivery as may be established, as aforesaid.

District of Miami established.

Port of entry at or near Sandusky, &c. two others, in the discretion of the President, may be established as ports of delivery—collector and surveyors to be appointed, &c. &c.

President
may design-
ate port of
entry in dis-
trict of Erie.

Sec. 4. *And be it further enacted*, That the President be, and he is hereby authorised to designate such place in the district of Erie, as he shall judge expedient, to be the port of entry of the said district.

Allowances
to the officers
to be appoint-
ed under this
act.

Sec. 5. *And be it further enacted*, That the several collectors and surveyors, who may be appointed by virtue of this act, or by virtue of the third section of an act passed the third of March, one thousand eight hundred and three, which authorises the establishment of a new collection district on Lake Ontario, in addition to the fees and commissions allowed by law, respectively, receive the same annual salary, which by law is allowed to the collectors and surveyors of the several districts comprising the northern and western boundaries of the United States.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS^S. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER XCIV.

AN ACT further to alter and establish certain post roads; and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following post roads be discontinued, Post roads discontinued.
namely:

From Williesville by Waldon's store, Speed's and Wilson's, Sterling Yancey's and Norman's store, to Person court house in North Carolina:

From Wilkes to Ash court house, in North Carolina:

From New Dublin by Tazewell, Russell and Lee court house, to Cumberland Gap in Virginia:

From Georgetown by Concord and Laurel, to Salisbury in Maryland:

From Ringo's tavern, to Flemington in New Jersey:

From Worcester to Lancaster in Massachusetts:

From Springfield to Northampton:

From Boston to Bridgewater:

From Vincennes to Kaskaskias:

From Annapolis by Kent Island and Queenstown to Centreville:

SEC. 2. *And be it further enacted,* That the following post roads be established :

In Massachusetts.

From Worcester by Holden, Rutland, Hubbardstown, Templeton, Winchendon and Fitzwilliam, to Keen in New Hampshire: From Weymouth landing by Abing- Post roads established.

ton, East Bridgewater and West Bridgewater to Taunton:

In New Jersey.

From Cooper's ferry by Haddinfield, Longacoming, Blue Anchor, Great Egg Harbor, River Bridge and Somers Point, to Absecome in Gallaway township:

In Pennsylvania.

From Alexandria by Centre Furnace and Bellefont, to Williamsport: From Bristol by Attleboro Newtown and Doylestown, to Quakertown: From New Hope through Doylestown, Montgomery's Square to Norristown: From Norristown by Pawlingsford, Pughtown, Morgantown, Churchtown and New Holland, to Lancaster. From Philadelphia through Germantown, White Marsh, Montgomery Square and Quakertown, to Bethlehem: From Bethlehem by Lausanne to Berwic: From Presqu'ille to Buffaloe Creek.

In Maryland.

From Annapolis by Rock Hall to Chestertown.

In Virginia.

From Randolph court house, to Frankfort: From Genito by Carsell's store to Amelia court house, from thence to Perkinsonville: From Prince Edward court house, by Hunter's tavern, to Lynchburg: From Lynchburg, by Campbell and Pitt.

sylvania court house, to Danville: From Smithfield by Sleepy Hole ferry, to Portsmouth: From Sleepy Hole to Suffolk.

In North Carolina.

From Williamsboro' by Bullock's and Brown's stores, Sterlingville and the Red House, in Caswell county, to Caswell court house: From Richland by Onslow court house, to Swanborough: From Raleigh by Paul's ferry on Neuse, cross roads at Watsons, Little river at Richardsons, Contentney at Woodward's, Tossnot at Dews, to Tarborough: From Greenville court house in the state of South Carolina to Ashville in the state of North Carolina.

In Georgia.

From Darien by Tatnal and Montgomery court house, to fort Wilkinson: From Washington in Kentucky to Cincinnati in Ohio.

In Indiana.

From Vincennes to Cahokia.

In Upper Louisiana.

From St. Louis to St. Charles.

In Orleans Territory.

From Natches, in the Mississippi territory by Caddy's ferry, Cahola and Rapid Settlements, to Natchitoches: From Washington city by Athens in Georgia, to New

Orleans ; and from Knoxville in Tennessee to the Tombigby settlements in the Mississippi territory, so as to intersect the post road, from Athens in Georgia to New Orleans, at the most convenient point between Athens and the said settlements.

NATH^L. MACON.

Speaker of the House of Representatives.

JOS. ANDERSON.

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER XCV.

AN ACT making appropriations for carrying into effect certain Indian treaties, and for other purposes of Indian trade and intercourse.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of defraying the expenses, that may arise in carrying into effect the treaties lately made between the United States and the tribes of Indians, called the Delawares, Piankeshaws, Sacs and Foxes, the following sums, to be paid out of any monies in the treasury, not otherwise appropriated, be, and the same are hereby ap-

Appropriation for carrying Indian treaties into effect.

appropriated for the payment of the annuities stipulated in the said treaties to be paid to the said Indians; that is to say to the Delawares, three hundred dollars, annually, for five years, and the further sum of three hundred dollars, annually, for ten years: to the Piankeshaws, annually, for ten years, the sum of two hundred dollars; and to the Sacs and Foxes, one thousand dollars, annually, so long as the treaty with them shall continue in force.

—annuity to the Delawares.

to the Piankeshaws,

to the Sacs and Foxes.

Sec. 2. *And be it further enacted*, That for the purpose of exploring the Indian country, and of ascertaining proper and convenient places for establishing trading houses with the different Indian tribes within the territory of the United States, a sum of five thousand dollars, be, and the same is hereby appropriated out of any monies in the treasury, not otherwise appropriated.

Appropriation for exploring Indian country.

Sec. 3. *And be it further enacted*, That for the purpose of establishing additional trading houses with the Indian tribes, a sum not exceeding one hundred thousand dollars, be, and the same is hereby appropriated, (the balance of a former appropriation being carried to the credit of the surplus fund) to be paid out of any monies in the treasury, not otherwise appropriated.

for establishing additional trading houses with Indian tribes.

NATH^L. MACON,
Speaker of the House of Representatives.

JOS: ANDERSON,
President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER XCVI.

AN ACT making provision for the widow and orphan children of Thomas Flinn.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of five hundred and eighteen dollars, with interest from the fifteenth of January, one thousand seven hundred and ninety three, be allowed to the widow of Thomas Flinn, an interpreter and guide, who was killed with colonel John Harding, while employed in bearing messages of peace to the hostile Indians, in the year seventeen, hundred and ninety two; and that the aforesaid sum and interest, be paid to the said widow, for the use of herself and the orphan children of the said Thomas Flinn, out of any monies in the treasury, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER XCVII.

AN ACT to extend jurisdiction in certain cases, to the territorial courts.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the superior courts of the several territories of the United States, in which a district court has not been established by law, shall in all cases in which the United States are concerned, have and exercise, within their respective territories, the same jurisdiction and powers which are by law given to, or may be exercised by the district court of Kentucky district: and writs of error, and appeals shall lie, from decisions thereon, to the supreme court, for the same causes, and under the same regulations, as from the said district court of Kentucky district.

Superior courts of the several territories of the United States invested with the jurisdiction of the district court of Kentucky, in cases in which the U. S. are concerned.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER XCVIII.

AN ACT for the relief of George Scoone and Alexander Cameron.

Geo. Scoone
placed on the
pension list.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That George Scoone, late a corporal in the fifth Maryland regiment, in the army of the revolution, be placed on the pension list of the United States, and receive from the fifth of March, seventeen hundred and ninety, a pension of the half pay of a corporal, for and during his life.

Alexander
Cameron placed
on the
pension list.

Sec. 2. And be it further enacted, That Alexander Cameron, late a soldier in the second regiment of the North Carolina line of the army of the revolution, be placed on the pension list of the United States, and receive from the first day of January last, a pension of the half pay of a private for and during his life.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER XCIX.

AN ACT to amend an act, entitled "An act for imposing more specific duties on the importation of certain articles, and also for levying and collecting light money on foreign ships or vessels, and for other purposes."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sixth section of the act, entitled, "An act for imposing more specific duties on the importation of certain articles; and also for levying and collecting light money on foreign ships or vessels, and for other purposes," shall not be deemed to operate upon unregistered ships or vessels, owned by citizens of the United States, in those cases, where such ship or vessel is in possession of a sea letter, or other regular document, issued from a custom house of the United States, proving such ship or vessel to be American property:—*Provided, however,* That upon the entry of every such ship or vessel from any foreign port or place, if the same shall be at the port or place at which the owner, or any of the part owners reside, such owner or part owners, shall make oath or affirmation, that the sea letter or other regular document possessed by such ship or vessel, contains the name or names of all the persons who are then owners of the said ship or vessel; or if any part of such ship or vessel has been sold or transferred since the date of such sea letter or document, that such is the case, and that no foreign subject or citizen hath, to the best

6th section of act for imposing more specific duties, &c. &c. not to operate upon unregistered vessels of U. States, if possessed, *bona fide*, of sea letters, &c.

Proviso.

of his knowledge and belief, any share, by way of trust, confidence or otherwise, in such ship or vessel. And if the owner, or any part owner shall not reside at the port or place, at which such ship or vessel shall enter, then the master or commander shall make oath or affirmation to the like effect. And if the owner or part owner, where there is one, or the master or commander, where there is no owner, shall refuse to swear or affirm as aforesaid, such ship or vessel shall not be entitled to the privileges granted by this act.

NATH^L: MACON,

Speaker of the House of Representatives.

JOS: ANDERSON,

President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER C.

An act for the more effectual preservation of peace in the ports and harbors of the United States, and in the waters under their jurisdiction.

Persons committing treason, felony, &c. &c. within the jurisdiction of the U. States, and taking refuge

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That whensoever any treason, felony, misprision of treason, or of felony, misdemeanor, breach of the peace, or of the revenue

laws of the United States, shall hereafter be committed within the jurisdiction of the United States, and the case shall be cognizable by, or under their authority, if the person committing the same, shall be on board of any foreign armed vessel, in any port or harbor of the United States, or in the waters within their jurisdiction, it shall be the duty of any judge or justice of any court of the United States, upon satisfactory proof thereof to him made, to issue his warrant specifying the nature of the offence, and directed to a marshal, commanding him to take the body of the offender, and bring him before the said judge or justice, to be dealt with according to law. And if the said marshal shall deem the ordinary posse comitatus insufficient to ensure the execution of the said warrant, he shall apply to the said judge or justice, who shall immediately issue his order, directed to any officer having command of militia, or any officer having command of regular troops, or of armed vessels of the United States, in the vicinity, requiring him to aid the said marshal with all the force under his command, or such part as may be necessary in executing the warrant aforesaid. And the said marshal conforming himself in all things to the instructions which he shall receive from the President of the United States, or from any other person authorised by the President, shall first demand the surrender of the person charged with the offence; and if delivery be not made, or if the marshal be obstructed from making the demand, he shall use all the means in his power by force and arms, to arrest the offender, and all others

in foreign armed vessels in our ports, may be arrested upon the warrants of a judge or justice of the United States

Marshals may have the aid, upon an order of the judge or justice, of any military force in his vicinity, if the *posse comitatus* be insufficient to ensure the execution of process.

who are with him, giving him aid and countenance in evading the arrest, and he shall convey the said offender and all others arrested, as aforesaid, and deliver them to the civil authority, to be dealt with according to law. If death ensue to the person ordered to be arrested, or to any of those giving him aid and countenance, it shall be justified; but if to the marshal, or to any of those supporting him in the discharge of his duty, the persons engaged in resisting the civil authority shall be punished as in cases of felonious homicide.

Justifiable
homicide.

Felonious
homicide.

Aid of United States to be given to executives of particular states, in order to the arrest of offenders against their laws, taking refuge in public armed vessels of foreign nations in the ports or harbors of the United States

Sec. 2. *And be it further enacted*, That whensoever after the passage of this act any felony, misprision of felony, misdemeanor, or breach of the peace shall be committed within the body of a county in any one of the United States, and any process of law shall be issued under the authority of the state, for the purpose of arresting the offender, if the said offender shall be on board of any foreign armed vessel, in any port or harbor of the United States, and within the jurisdiction of the state in which the offence was committed, it shall be lawful for the governor or other supreme executive officer of the state in which the said offence shall have been committed, upon due proof thereof, and upon his being satisfied that the ordinary posse comitatus is insufficient to ensure the execution of the said process, to issue his order directed to any officer having command of regular troops, or armed vessels of the United States in the vicinity, requiring him to aid the officer charged with the execution of the process, with all the force under his command, or such part thereof as may be

necessary, in arresting the offender and all those giving aid and countenance in resisting the civil authority. And if the said offender shall flee to any place beyond the jurisdiction of the state, and within the exclusive jurisdiction of the United States, the officer charged with the execution of the said process, shall be, and he is hereby authorised to pursue the said offender into such place, taking with him, if necessary, the said armed force, and there arrest him, in virtue of the said process. And if the said offender shall flee to and be on board of any foreign armed vessel being in any place beyond the jurisdiction of the state, and within the exclusive jurisdiction of the United States, the officer charged with the execution of the said process shall first demand the delivery of the said offender, of and from the person or persons having charge and command of the said foreign armed vessel, declaring the authority and cause for which the demand is made; and if the said offender be not delivered according to the said demand, or if the officer charged with the execution of the process be obstructed in attempting to make the demand, then he shall use all the means in his power, by force and arms, to enter on board of the said foreign armed vessel, there to search for and arrest the said offender, and all those who are with him giving him aid and countenance, in preventing and resisting the execution of the said process; and the officer charged with the execution of the said process, shall convey the said offender and deliver him over to the civil authority of the state, to be dealt with according to law; and all

Offenders flying beyond the jurisdiction of the United States may be pursued & taken.

Offenders flying to armed vessels in places where U. States have exclusive jurisdiction, how to be dealt with, with those who afford them aid in making resistance, &c. &c.

those arrested for being concerned in resisting the execution of the process shall be delivered over to the civil authority of the United States, and shall be punished in the same manner as if they had been concerned in knowingly and wilfully obstructing, resisting or opposing any officer of the United States in serving or attempting to serve any warrant or other legal or judicial writ issued under the authority of the United States. But if any of those concerned in making the arrest be killed in a place within the exclusive jurisdiction of the United States, those engaged in resisting the civil authority shall be punished as in cases of felonious homicide; and if the person charged with the offence, or any of those concerned with him in resisting, be killed, in a place under the exclusive jurisdiction of the United States, it shall be justified.

Felonious
homicide.

Justifiable
homicide.

Penalties.

Sec. 3. *And be it further enacted*, That if any commanding officer of militia, of regular troops, or armed vessels of the United States, shall refuse to obey the requisition authorised by this act, he shall forfeit a sum not exceeding five thousand dollars.

The entrance,
into our ports
and harbors,
of foreign
armed vessels,
may be per-
mitted or in-
terdicted at
the pleasure
of the Presi-
dent.

Sec. 4. And in order to prevent insults to the authority of the laws, whereby the peace of the United States with foreign nations may be endangered, *Be it further enacted*, That it shall be lawful for the President of the United States, either to permit or interdict at pleasure, the entrance of the harbors and waters under the jurisdiction of the United States to all armed vessels belonging to any foreign nation, and by force to repel and move them from the same, except when they shall be forced in by distress, by the dangers of the sea, by

being pursued by an enemy, or when charged with dispatches or business from the government to which they belong; in which cases, as well as in all others when they shall be permitted to enter, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering the harbor or waters, shall take such position therein, as shall be assigned him by such collector, and shall conform himself, his vessel and crew, to such regulations respecting health, repairs, supplies, stay, intercourse and departure, as shall be signified to him by the said collector, under the authority and directions of the President of the United States, and not conforming thereto, shall be required to depart from the United States.

When they shall have entered, they are to conform to regulations, &c.

Sec. 5. *And be it further enacted,* That whensoever any armed vessel of a foreign nation entering the harbors or waters within the jurisdiction of the United States, and required to depart therefrom, shall fail so to do, it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land and naval forces of the United States, or the militia thereof, as he shall deem necessary to compel the said armed vessel to depart; or if he shall think it proper, it shall be lawful for him to forbid, by proclamation, all intercourse with such vessel, and with every armed vessel of the same nation, and the officers and crew thereof; to prohibit all supplies and aid from being furnished them, and also to instruct the collector of the district, where such armed vessel shall

Force may be employed to compel the departure of foreign armed vessels.

Or all intercourse with them & others of the same nation, may be interdicted if they do not depart.

Refusal of permission to trade with the vessels of the same nation, while the offending one remains in our ports, authorised.

Penalties.

be, and of any and of every other district of the United States, to refuse permission to any vessel belonging to the same nation, or to its citizens or subjects, to make entry or unlade, so long as the said armed vessel shall remain in the harbors or waters of the United States, in defiance of the public authority. And if after the publication of said proclamation, and due notice thereof, any person shall afford any aid to such armed vessel, or to any other, contrary to the prohibition contained in the said proclamation, either in repairing the said vessel, or in furnishing her, her officers or crew with supplies of any kind, or in any manner whatsoever, or if any pilot shall assist in navigating the said armed vessel, or any other, contrary to the prohibition contained in the said proclamation, unless it be for the purpose of carrying the armed vessel required to depart, as aforesaid, beyond the limits and jurisdiction of the United States, the person or persons so offending, shall forfeit and pay a sum not exceeding one thousand dollars, and shall also be liable to be bound to their good behavior.

Entrance in our ports of any officer of a foreign armed vessel committing a trespass or tort upon vessels of the U. States on the high seas forbidden.

Sec. 6. *And be it further enacted*, That whensoever any officer of an armed vessel commissioned by any foreign power, shall on the high seas commit any trespass or tort, or any spoliation on board any vessel of the United States, or any unlawful interruption or vexation of trading vessels actually coming to or going from the United States, it shall be lawful for the President of the United States, on satisfactory proof of the facts, by proclamation to interdict the entrance of the said officer, and

of any armed vessel by him commanded within the limits of the United States, and if at any time after such proclamation made, he shall be found within the limits of the United States, he shall be liable therefor to be arrested, indicted and punished by fine and imprisonment, in any court in the United States having competent jurisdiction, and it shall be a part of the sentence that he shall within such time after the payment of his fine and the expiration of his term of imprisonment, as the court shall direct, leave the United States, never to return. And if he shall return within the limits of the United States, after the passing of such sentence or be found therein after the period limited by the court as aforesaid, he shall again be liable to be indicted, fined and imprisoned at the discretion of the court: *Provided always*, That if the said officer shall also have committed any other offence made punishable by this act, he shall be liable to prosecution and punishment; the provisions of this section to the contrary notwithstanding.

If found in the U. States contrary to the interdiction, how to be dealt with.

Proviso.

Sec. 7. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorised and required to give, as soon as may be, after the passage of this act, to the collectors of the respective districts, and to such other persons as he may think proper the necessary instructions for carrying this act into effect, particularly marking out the line of conduct to be observed by the marshal, and the several collectors in performing the duties enjoined by this act.

Collectors & marshals to be instructed touching the execution of this act.

Sec. 8. *And be it further enacted*, That if any person shall be sued for any thing

This act may be given in evidence, &c.

done in pursuance of, or in obedience to this act, he may plead the general issue and give this act in evidence, any law, custom or usage to the contrary, notwithstanding.

Limited to two years, & to the end of the next succeeding session of Congress.

Sec. 9. *And be it further enacted*, That this act shall continue in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER CI.

AN ACT to regulate the clearance of armed merchant vessels.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after due notice of this act at the several custom houses, no vessel owned in whole,

Owners, &c.
of armed

or in part, by any citizen or citizens of the United States, or by any person or persons residing within the same, or the territories thereof, and armed, or provided with the means of being armed at sea, shall receive a clearance, or be permitted to leave the port where she may be so armed, or provided, for any island in the West Indies, or for any port or place situated on the continent of America, between Cayenne and the southern boundary of Louisiana, without bond with two sufficient sureties being given by the owner or owners, agent or agents, together with the master or commander, to the use of the United States, in a sum equal to double the value of said vessel, her arms, ammunition, tackle, apparel and furniture, conditioned that such arms and ammunition shall not be used for any unlawful purposes, but merely for resistance and defence, in case of involuntary hostility; and that the guns, arms and ammunition of such vessel shall be returned within the United States, or otherwise accounted for, and shall not be sold or disposed of in any port or place in the West Indies; which bond may be sued for, and recovered with costs of suit, in the name, and for the use of the United States, in any court competent to try the same.

Sec. 2. *And be it further enacted*, That no armed merchant vessel or vessel prepared for armament, owned as aforesaid, shall receive a clearance, or be permitted to depart from any port in the United States, for any port or place, other than those described in the first section of this act, unless the owner or owners, agent or agents, and the commander of such vessel shall make oath

vessels bound to the West Indies, &c. &c. to give bonds, &c. &c.

arms, &c. &c. to be returned or otherwise accounted for

Bonds may be sued for and recovered, &c. &c.

Armed merchant vessels, &c. &c. not to proceed to any other ports than those described in the first section of this act,

that such vessel is not bound, or intended to proceed to any island in the West Indies, or any port or place on the continent between Cayenne and the southern boundary of Louisiana, nor on the continent of America between Cayenne and the southern boundary of Louisiana, and also unless a bond be given by the owner or owners, agent or agents, and commander, in a sum equal to double the value of such vessel, her arms, tackle, apparel and furniture, to the use of the United States, conditioned that such vessel shall not proceed to any island in the West Indies, or port on the continent as aforesaid, unless compelled thereto by unavoidable accident; and if so compelled, that no part of the cargo of such vessel shall be sold except so much thereof as may be absolutely necessary to defray the expenses necessary to enable such vessel to proceed on her intended voyage.

Vessels going to sea, and armed as above, forfeited, if they depart from the United States without the clearance prescribed in the last preceding section.

Collectors to cause prosecutions to be instituted, &c.

Sec. 3. *And be it further enacted*, That if any armed vessel, as aforesaid, shall proceed to sea without a clearance, contrary to the provision of this act, such vessel, with her arms, ammunition, tackle, apparel and furniture, shall be forfeited to the use of the United States, and be liable to be seized, prosecuted and condemned; or the value thereof may be sued for, and recovered with costs of suit, of the owner or owners of such vessel, in any court of competent jurisdiction: and the collector within whose district such forfeiture shall accrue, is hereby enjoined to cause prosecutions for the same to be commenced without delay, and prosecuted to effect.

Sec. 4. *And be it further enacted*, That this act shall be in force until the end of

the next session of Congress, and no longer.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER CII.

AN ACT supplementary to the act intituled " An act making provision for the disposal of the public lands in the Indiana territory ; and for other purposes."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the lands lately purchased from the Indian tribes of the Wabash, and lying between the rivers Wabash and Ohio, and the road leading from the falls of the river Ohio to Vincennes, shall be attached to, and made a part of the district of Vincennes, and be offered for sale at that place, under the same regulations, at the same price, and on the same terms as other lands lying within the said district.

Lands purchased from the Wabash Indians, and lying between the Wabash and Ohio, attached to the district of Vincennes, and offered for sale, &c. at Vincennes.

Sec. 2. *And be it further enacted, That such and so many of the tracts of land ly-*

Lands lying north west of the Indian

boundary established by the treaty of Greenville, shall be surveyed, &c. &c. and offered for sale at Detroit.

ing north and west of the Indian boundary, established by the treaty of Greenville, which were ceded by that treaty to the United States, as the President of the United States shall direct, shall be surveyed and subdivided in the same manner as the other public lands of the United States, and shall be offered for sale at Detroit, or at such of the other land offices established by law in the state of Ohio, or in the Indiana territory, as the President of the United States shall judge most expedient, under the same regulations, at the same price, and on the same terms, as other lands lying within the same district.

Lands purchased from the Sacs and Foxes attached to the district of Kaskaskias, &c.

Sec. 3. *And be it further enacted*, That so much of the tract of land lately purchased from the Indian tribes known by the name of Sacs and Foxes, as the President of the United States shall think expedient and shall direct, shall be attached to and made a part of the district of Kaskaskias, and shall be offered for sale at that place, under the same regulations, at the same price, and on the same terms, as other lands lying within the said district.

Lands in the districts of Vincennes, &c. claimed under French or British grants, &c. &c. shall be re-surveyed at the expense of the United States.

Sec. 4. *And be it further enacted*, That the lands lying within the districts of Vincennes, Kaskaskias and Detroit which are claimed by virtue of French or British grants, legally and fully executed, or by virtue of grants issued under the authority of any former act of Congress, by either of the governors of the North West or Indiana territories, and which had already been surveyed by a person authorised to execute such surveys, shall, whenever it shall be found necessary to re-survey the same for the purpose of ascertaining the

adjacent vacant lands, be surveyed at the expense of the United States; any act to the contrary notwithstanding.

Sec. 5. *And be it further enacted*, That persons claiming lands in either of the said three districts, either under legal grants derived from the French or British governments, or by virtue of actual possession and improvement, or for any other account whatever, may until the first day of November next, give notice, in writing to the register of the land office of their claims, and have the evidence of the same recorded, in the manner and on payment of the fees provided by the act to which this act is a supplement; and the right of any person neglecting to give such notice in writing of his claim, and to have the evidence of the same recorded, shall become void and forever be barred.

Claimants of lands in the foregoing districts, to give notice in writing to the registers of the land offices of their claims, &c.

The commissioners appointed for the purpose of examining the claims of persons claiming lands in the said three districts, shall, in their respective districts, have the same powers, and perform the same duties in relation to the claims thus filed, as if notice of the same had been given before the first day of January last; and as was provided by the act to which this act is a supplement, in relation to the claims therein described. It shall be the duty likewise of the clerk of each board to prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants, and to transmit one to the surveyor general and one to the secretary of the treasury. It shall also, be the duty of the said commissioners, respectively, to make to the secretary of the trea-

Powers, duties, &c. &c. of the commissioners.

sure a report of all the claims filed with the register of the land office, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; and they shall in relation to any such rejected claims which were founded on possession and actual settlement and improvement, particularly state the date of the improvement and the quantity, situation and boundaries of the land claimed. Those reports, together with the transcripts of the decisions of the commissioners, in favor of claimants, shall be laid by the secretary of the treasury before Congress at their next session: and the lands; the claims to which shall have been affirmed by the commissioners, as well as those, the claims to which, though rejected by the commissioners, were derived from actual possession, improvement and settlement shall not be otherwise disposed of until the decision of Congress thereupon shall have been made. Each of the said commissioners, and each of the clerks of the respective boards, shall be allowed an additional compensation of five hundred dollars, in full for his services as such in relation to such claims; and each of the registers of the land offices for the said three districts, shall be allowed a further sum of five hundred dollars, as a compensation in full for translating and recording, or causing to be translated and recorded, grants, deeds or other evidences of claims in the French language.

Compensations of the commissioners, clerks, & registers of land offices.

Sec. 6. *And be it further enacted*, That the governor of the Michigan territory

shall act as one of the superintendants of the sales of public lands at Detroit, in lieu of the governor of the Indiana territory.

Sec. 7. *And be it further enacted*, That all the sections heretofore reserved for the future disposition of Congress, and lying within either of the districts established for the disposal of public lands in the state of Ohio, with the exception of the section No. 16, of the Salt Springs, and lands reserved for the use of the same, and of the other sections or tracts of land otherwise heretofore specially appropriated, shall be offered for sale in that district within which such reserved sections may lie, on the same terms, and under the same regulations, as other lands in the same district: *Provided*, That such sections shall previously be offered to the highest bidder at public sales, to be held under the superintendence of the register and receiver of the land offices, respectively, to which they are attached, on the same terms as has been provided for the public sales of the other public lands of the United States, and on such day or days as shall by a public proclamation of the President of the United States be designated for that purpose: *And provided also*, That no such heretofore reserved section shall be sold either at public or private sale for less than eight dollars per acre.

Sections reserved for the disposition of Congress, to be offered for sale.

Proviso.

Proviso.

Sec. 8. *And be it further enacted*, That the expenses which may be incurred by virtue of this act, shall be defrayed out of the sums which have been or may hereafter be appropriated for defraying the expenses incident to the surveying and disposal of

Expenses, how to be defrayed.

the public lands of the United States, in the Mississippi and Indiana territories.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER CIII.

AN ACT in addition to "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States, during the revolutionary war.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions contained in the first section of "An act to make provision for persons that have been disabled by known wounds, received in the actual service of the United States, during the revolutionary war," passed the third day of March, one thousand eight hundred and three, are hereby extended to all those persons in the service of the United States, who, in consequence of their disability by known wounds, received in actual service during the revolutionary war, resigned their commissions, or

took discharges; or who, after incurring their disability, were taken captive by the enemy, and remained either in captivity or on parole, until the close of the war; or who, in consequence of known wounds received in the actual service of the United States, have at any period since, become and continued disabled, in such manner as to render them unable to procure a subsistence by manual labor: *Provided*, That every person of the several descriptions herein mentioned, applying for a pension, shall in all other respects, conform to the requirements of the act to which this is an addition.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

CHAPTER CIV.

AN ACT for the relief of Richard Taylor.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That Richard Taylor of Kentucky, who was em-

ployed in the service of the United States, as an escort, spy and guide, at the daily pay of one dollar and twenty-five cents, during hostilities with certain Indians, in the year one thousand seven hundred and ninety two, and was disabled by being wounded while in such service; shall be placed on the list of invalid pensioners of the United States, at the rate of twenty dollars per month, to commence on the first day of January in the present year, in lieu of his present rate of pension.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

' APPROVED,

TH: JEFFERSON.

CHAPTER CV.

AN ACT for the relief of Robert Patton, and others.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collector for the district of Tappahannock be, and he hereby is directed to repay to Robert Patton and company, and Samuel Pearson, the owners of the schoo-

Foreign ton-
nage duty
paid by Robt.
Patton, to be

ner Iris, a vessel of the United States, the amount received from them for foreign tonnage on said schooner; and he hereby is also directed to repay to Samuel Gordon and others, the owners of the cargo of said schooner, the amount of the ten per cent. additional duties, received from them upon the said cargo, at the entry thereof at Tappahannock, in the year one thousand eight hundred and four.

repaid to him by collector of Tappahannock—and additional 10 per cent. duties, paid by Saml. Gordon and others, to be returned.

Sec. 2. *And be it further enacted*, That the collector for the district of Newport be, and he hereby is directed to pay to Edmund Briggs, jun. and others, the master and crew of the schooner Phœbe, the amount of bounty or allowance arising on a fishing voyage which was made in the said vessel, in the year one thousand eight hundred and four, upon satisfactory proof being exhibited to him, that the said schooner was employed during the four months of the fishing season.

Collector of Newport directed to repay to Edmund Briggs, jun. & others, amount of bounty or allowance on a fishing voyage, &c. &c.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

CHAPTER CVI.

AN ACT to provide for the accommodation of the President of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorised to cause to be sold such part of the furniture and equipage belonging to his household, as may be decayed and out of repair; and that the sum of fourteen thousand dollars, together with the proceeds of such sales, be appropriated for the accommodation of the household of the President of the United States, to be laid out at his discretion, and under his direction.

NATH^L. MACON,

Speaker of the House of Representatives.

JOS: ANDERSON,

President of the Senate, pro tempore.

March 3, 1805,

APPROVED,

TH: JEFFERSON.

RESOLUTION expressive of the sense of Congress of the gallant conduct of captain Stephen Decatur, the officers and crew of the United States ketch Intrepid, in attacking in the harbor of Tripoli, and destroying a Tripolitan frigate of forty four guns.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be requested to present, in the name of Congress, to captain Stephen Decatur, a sword, and to each of the officers and crew of the United States ketch Intrepid, two months pay, as a testimony of the high sense entertained by Congress of the gallantry, good conduct and services of captain Decatur, the officers and crew of the said ketch, in attacking in the harbor of Tripoli, and destroying a Tripolitan frigate of forty four guns.

NATH^L. MACON.

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

November 27, 1804,

APPROVED,

TH: JEFFERSON.

RESOLUTIONS expressive of the sense of Congress of the gallant conduct of commodore Edward Preble, the officers, seamen and marines of his squadron.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of Congress be, and the same are hereby presented to commodore Edward Preble, and through him, to the officers, petty officers, seamen and marines attached to the squadron under his command, for their gallantry and good conduct, displayed in the several attacks on the town, batteries and naval force of Tripoli, in the year one thousand eight hundred and four.

Resolved, That the President of the United States be requested to cause a gold medal to be struck, emblematical of the attacks, on the town batteries and naval force of Tripoli, by the squadron under commodore Preble's command, and to present it to commodore Preble, in such manner, as in his opinion will be most honorable to him: And that the President be further requested to cause a sword to be presented to each of the commissioned officers and midshipmen who have distinguished themselves in the several attacks.

Resolved, That one month's pay be allowed exclusively of the common allowance to all the petty officers, seamen and marines of the squadron, who so gloriously supported the honor of the American flag, under the orders of their gallant commander in the several attacks.

Resolved, That the President of the United States be also requested to communicate

Thanks of Congress to be presented to commodore Preble, his officers, petty officers, and men.

A gold medal to be presented to him.

A sword to be presented to each of the commissioned officers and midshipmen.

One month's additional pay allowed to the petty officers, seamen and marines.

to the parents or other near relatives of captain Richard Somers, lieutenants Henry Wadsworth, James Decatur, James R. Caldwell, Joseph Israel, and midshipman John Sword Dorsey, the deep regret which Congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations.

NATHL. MACON,

Speaker of the House of Representatives.

JOS. ANDERSON,

President of the Senate, pro tempore.

March 3, 1805.

APPROVED,

TH: JEFFERSON.

AMENDMENT

TO THE

CONSTITUTION OF THE UNITED STATES,

As ratified by the constitutional number of the legislatures of the several states, in the year one thousand eight hundred and four.

EIGHTH CONGRESS OF THE UNITED STATES,

At the first session, begun and held at the city of Washington, in the territory of Columbia, on Monday, the seventeenth of October, one thousand eight hundred and three.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, That in lieu of

2. X

the third paragraph of the first section of the second article of the constitution of the United States, the following be proposed as an amendment to the constitution of the United States, which when ratified by three fourths of the legislatures of the several states, shall be valid to all intents and purposes, as part of the said constitution, to wit :

The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having

one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President ; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ATTEST.

JOHN BECKLEY,

Clerk to the House of Representatives of the United States.

SAM: A. OTIS,

Secretary to the Senate of the United States.

BY THE
PRESIDENT
OF
THE UNITED STATES
OF
AMERICA.
A PROCLAMATION.

WHEREAS a treaty between the United States of America, and the Piankeshaw Tribe of Indians was concluded and signed at Vincennes in the Indiana territory, on the twenty-seventh day of August last past, and was duly ratified and confirmed by the President of the United States, on the twenty-first day of January in the year of our Lord, one thousand eight hundred and five, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:—

A Treaty between the United States of America, and the Piankeshaw tribe of Indians.

The President of the United States, by
William Henry Harrison, Governor of the

Indiana territory, superintendant of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties which may be found necessary with any of the Indian tribes North West of the river Ohio; and the chiefs and head men of the Piankeshaw tribe, have agreed to the following articles, which when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding upon the said parties.

ARTICLE 1st. The Piankeshaw tribe relinquishes, and cedes to the United States for ever, all that tract of country which lies between the Ohio and Wabash rivers, and below Clark's grant and the tract called the Vincennes tract, which was ceded by the treaty of Fort Wayne, and a line connecting the said tract and grant, to be drawn parallel to the general course of the road leading from Vincennes to the falls of the Ohio, so as not to pass more than half a mile to the northward of the most northerly bend of said road.

Cession of land
to the United
States.

ARTICLE 2. The Piankeshaw tribe acknowledges explicitly the right of the Kaskaskia tribe to sell the country which they have lately ceded to the United States, and which is separated from the lands of the Piankeshaws by the ridge or high land which divides the waters of the Wabash from the waters of the Saline creek; and by that which divides the waters of the said Wabash from those which flow into the Auyase and other branches of the Mississippi.

Acknowledg-
ment of the
right of the
Kaskaskia In-
dians to sell
the land lately
ceded by them
to the U. S.

Additional annuity to be paid to the Piankeshaws for ten years.

ARTICLE 3. An additional annuity of two hundred dollars shall be paid by the United States to the said tribe for ten years, in money, merchandise, provisions or domestic animals, and implements of husbandry at the option of the said tribe, and this annuity together with goods to the amount of seven hundred dollars which are now delivered to them by the commissioner of the United States, is considered as a full compensation for the above mentioned relinquishment.

Right reserved to the U. S. of dividing the whole annuity amongst the families, &c. of the Piankeshaws.

Chiefs to be assembled in order to this arrangement.

ARTICLE 4. The United States reserve to themselves, the right of dividing the whole annuity which they pay to the said tribe amongst the families which compose the same; allowing always a due proportion for the chiefs. And the said chiefs whenever the President of the United States may require it, shall upon proper notice being given, assemble their tribe, for the purpose of effecting this arrangement.

IN WITNESS WHEREOF The commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe have hercunto set their hands, and affixed their seals. Done at Vincennes in the Indiana territory, the twenty seventh day of August in the year of our Lord, one thousand eight hundred and four; and of the independence of the United States, the twenty-ninth.

(Signed)

WILLIAM HENRY HARRISON, (Seal)
 Wa bockquikelagrobble or Big } (Seal)
 Corn, his X mark,

Swekamia, Troisfesse, or three } (Seal)
thighs, his ✕ mark,

Makatewelama, Chine Noir, or } (Seal)
Black Dog, his ✕ mark,

Alemoin Le Chien, or the Dog, } (Seal)
his ✕ his mark,

Kehelanquagot, or Lightning, his } (Seal)
✕ mark,

Signed, Sealed and delivered, in pre-
sence of

JOHN GIBSON, secretary to the commis-
sioner.

JOHN GRIFFIN, one of the judges of the
Indiana territory.

HENRY VANDERBURGH, one of the judges
of the Indiana territory.

B. PARKE, attorney general of the Indiana
territory.

WILLIAM PRINCE, sheriff of Knox county,
Indiana territory.

GEORGE WALLACE, jun. of the Indiana
territory.

PETER JONES, of Knox county, Indiana
territory.

EDWARD HEMPSTEAD, attorney at law,
Indiana territory.

ABRAHAM F. SNAPP.

JOSEPH BARRON, Interpreter.

I do certify that each and every article
of the foregoing treaty was carefully
explained and precisely interpreted by
me to the Piankeshaw chiefs who have
signed the same.

(Signed)

JOSEPH BARRON,
Interpreter.

Now therefore to the end that the said
treaty may be observed and performed with

good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof. In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

Done at the City of Washington, the sixth day of February A. D. one thousand (L.S.) eight hundred and five, and of the independence of the said states, the twenty ninth.

TH : JEFFERSON.

By the President,

JAMES MADISON, Secretary of State.

BY THE
PRESIDENT
OF THE
UNITED STATES
OF
AMERICA.

A PROCLAMATION.

WHEREAS a treaty between the United States of America, and the Delaware tribe of Indians was concluded and signed at Vincennes in the Indiana territory, on the eighteenth day of August last past, and was duly ratified and confirmed by the President of the United States, on the twenty-first day of January, in the year of our Lord, one thousand eight hundred and five, by and with the advice and consent of the Senate, which treaty is in the words following to wit :

A treaty between the United States of America, and the Delaware tribe of Indians.

THE Delaware tribe of Indians finding that the annuity which they receive from the United States is not sufficient to supply them with the articles which are necessary for their comfort and convenience, and afford the means of introducing amongst

them the arts of civilized life, and being convinced that the extensiveness of the country they possess, by giving an opportunity to their hunting parties to ramble to a great distance from their towns is the principal means of retarding this desirable event : and the United States being desirous to connect their settlements on the Wabash with the state of Kentucky ; therefore the said United States by William Henry Harrison, governor of the Indiana territory, superintendant of Indian affairs, and their commissioner plenipotentiary for treating with the Indian tribes north-west of the Ohio river ; and the said tribe of Indians by their Sachems, Chiefs and Head Warriors, have agreed to the following articles which when ratified by the President of the United States by and with the advice and consent of the Senate, shall be binding on the said parties.

Cession to the
United States.

ARTICLE 1st. The said Delaware tribe, for the consideration hereinafter mentioned relinquishes to the United States forever, all their right and title to the tract of country which lies between the Ohio and Wabash rivers, and below the tract ceded by the treaty of Fort Wayne and the road leading from Vincennes to the falls of Ohio.

Additional
annuity to be
paid to the
Delawares.

To what use
to be applied.

Persons to be
employed at

ART. 2d. The said tribe shall receive from the United States for ten years an additional annuity of three hundred dollars which is to be exclusively appropriated to the purpose of ameliorating their condition, and promoting their civilization. Suitable persons shall be employed at the expence

of the United States to teach them to make fences, cultivate the earth, and such of the domestic arts as are adapted to their situation; and a further sum of three hundred dollars shall be appropriated annually for five years to this object. The United States will cause to be delivered to them in the course of the next spring, horses fit for draft, cattle, hogs and implements of husbandry to the amount of four hundred dollars. The preceding stipulations together with goods to the amount of eight hundred dollars which is now delivered to the said tribe, (a part of which is to be appropriated to the satisfying certain individuals of the said tribe, whose horses have been taken by white people) is to be considered as full compensation for the relinquishment made in the first article.

ART. 3. As there is great reason to believe that there are now in the possession of the said tribe, several horses which have been stolen from citizens of the United States, the chiefs who represent the said tribe are to use their utmost endeavors to have the said horses forthwith delivered to the superintendent of Indian affairs or such persons as he may appoint to receive them. And as the United States can place the utmost reliance on the honor and integrity of those chiefs who have manifested a punctilious regard to the engagements entered into at the treaty of Grenville, it is agreed that in relation to such of the horses stolen as aforesaid, but which have died or been removed beyond the reach of the chiefs, the United States will compensate the owners for the

the expence of the U. S. to teach them agricultural and domestic arts, &c.

Further sums to be appropriated for five years towards this object.

Horses, &c. to be delivered to them.

These stipulations to be considered full compensation for the relinquishment in the first art.

Stolen horses to be restored.

loss of them without deducting from the annuity of the said tribe the amount of what may be paid in this way. But it is expressly understood that this provision is not to extend to any horses which have been stolen within the course of twelve months preceding the date hereof.

Right of the
Delawares to
lands, &c.

ART. 4. The said tribe having exhibited to the above named commissioner of the United States sufficient proof of their right to all the country which lies between the Ohio and White river, and the Miami tribe who were the original proprietors of the upper part of that country having explicitly acknowledged the title of the Delawares at the general council held at Fort Wayne in the month of June 1803, the said United States will in future consider the Delawares as the rightful owners of all the country which is bounded by the White river on the north, the Ohio on the south, the general boundary line running from the mouth of the Kentucky river on the east, and the tract ceded by this treaty, and that ceded by the treaty of Fort Wayne, on the west and south west.

Stipulation
that the U. S.
will treat with
the Pianke-
shaws for an
acknowledg-
ment on their
part of the ti-
tle of the De-
lawares to and
ceded by this
treaty.

ART. 5. As the Piankeshaw tribe have hitherto obstinately persisted in refusing to recognize the title of the Delawares to the tract of country ceded by this treaty, the United States will negotiate with them, and will endeavor to settle the matter, in an amicable way, but should they reject the propositions that may be made to them on this subject, and should the United States not think proper to take possession of the said country without their consent; the stipulations and promise herein made on

behalf of the United States, shall be null and void.

ART. 6. As the road from Vincennes to Clark's grant will form a very inconvenient boundary, and as it is the intention of the parties to these presents that the whole of the said road shall be within the tract ceded to the United States, it is agreed that the boundary in that quarter shall be a straight line to be drawn parallel to the course of the said road from the eastern boundary of the tracts ceded by the treaty of Fort Wayne to Clark's grant, but the said line is not to pass at a greater distance than half a mile from the most northerly bend of said road.

Boundaries,
&c.

In witness whereof the commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe have hereunto set their hands, and affixed their seals. Done at Vincennes the eighteenth day of August in the year of our Lord one thousand eight hundred and four; and of the Independence of the United States, the twenty-ninth.

(Signed)

WILLIAM HENRY HARRISON, (L. S.)

Teta Buxika, his ✕ mark, (L. S.)

Bokongehelas, his ✕ mark, (L. S.)

Alimee, or Geo. White-Eyes,

his ✕ mark, (L. S.)

Hocking Pomskann, his ✕ mark (L. S.)

Tomaguce, or the Beaver,
his \times mark, (L. s.)

*Signed, sealed and delivered
in the presence of*

JOHN GIBSON, secretary to the
commissioner.

HENRY VANDERBURGH, one
of the judges of the In-
diana Territory.

VIGO, colonel of Knox county
I. T. militia.

B. PARKE, attorney general of
the I. T.

JOHN RICE JONES, of the I. T.

ROBERT BUNTIN, prothonotary
of Knox county, I. T.

G. WALLACE, jun. of the I. T.

ANTONIE MARCHAL, of the I. T.

JOSEPH BARRON, interpreter.

EDWARD HEMPSTEAD, attor-
ney at law.

I do certify that each and every article of
the foregoing treaty was carefully explained
and precisely interpreted by me to the De-
laware chiefs who have signed the same.

(Signed)

JOHN GIBSON.

NOW therefore to the end that the said
treaty may be observed and performed with
good faith on the part of the United States,
I have caused the premises to be made pub-
lic, and I do hereby enjoin and require all
persons bearing office, civil or military, with-
in the United States, and all others, citizens
or inhabitants thereof, or being within the

same, faithfully to observe and fulfil the said treaty, and every clause and article thereof. In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

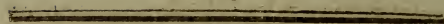
DONE at the city of Washington this
fourteenth day of February, A.
(SEAL.) D. 1805, and of the Independence of the said states, the
twenty-ninth.

TH: JEFFERSON.

By the President,

JAMES MADISON,

Secretary of State.



BY THE
PRESIDENT
OF
THE UNITED STATES
OF
AMERICA,
A PROCLAMATION.



WHEREAS a treaty between the United States of America and the united tribes of Sac and Fox Indians was concluded and signed on the third day of November one thousand eight hundred and four, and was duly ratified and confirmed by the President of the United States on the twenty-fifth day of January following, by and with the advice and consent of the Senate, which treaty is in the words following to wit,

A treaty between the United States of America and the united tribes of Sac and Fox Indians.

ARTICLES of a treaty made at St. Louis in the district of Louisiana between William Henry Harrison, governor of the Indiana territory and of the district of Louisiana, superintendant of Indian affairs for the said territory and district, and

commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the north-western tribes of Indians of the one part, and the chiefs and head men of the united Sac and Fox tribes of the other part.

ARTICLE 1. The United States receive the united Sac and Fox tribes into their friendship and protection, and the said tribes agree to consider themselves under the protection of the United States and of no other power whatsoever.

The Sacs and Foxes taken under protection of the U. S.

ART. 2. The general boundary line between the lands of the United States and of the said Indian tribes shall be as follows, to wit : Beginning at a point on the Missouri river opposite to the mouth of the Gasconade river ; thence in a direct course so as to strike the river Jeffreon at the distance of thirty miles from its mouth and down the said Jeffreon to the Mississippi, thence up the Mississippi to the mouth of the Owsconsing river and up the same to a point which shall be thirty-six miles in a direct line from the mouth of the said river, thence by a direct line to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegan, thence down the Fox river to the Illinois river, and down the same to the Mississippi. And the said tribes for and in consideration of the friendship and protection of the United States which is now extended to them, of the goods (to the value of two thousand two hundred and thirty-four dollars and fifty cents) which are now delivered, and of the annuity hereinafter stipulated to be paid do

Boundaries:

hereby cede and relinquish forever to the United States, all the lands included within the above described boundary.

Goods to be
delivered to
the Indian
tribes at St.
Louis every
year.

ART. 3. In consideration of the cession and relinquishment of land made in the preceding article, the United States will deliver to the said tribes at the town of St. Louis or some other convenient place on the Mississippi yearly and every year goods suited to the circumstances of the Indians of the value of one thousand dollars (six hundred of which are intended for the Sac's, and four hundred for the Fox's) reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. And if the said tribes shall hereafter at an annual delivery of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry and other utensils convenient for them, or in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall at the subsequent annual delivery be furnished accordingly.

Indians to be
secured in
their posses-
sions, &c.

ART. 4. The United States will never interrupt the said tribes in the possession of the lands which they rightfully claim, but will on the contrary protect them in the quiet enjoyment of the same against their own citizens and against all other white persons who may intrude upon them. And the said tribes do hereby engage that they will never sell their lands or any part thereof to any sovereign power, nor to the citizens of the United States.

ART. 5. Least the friendship which is now established between the United States and the said Indian tribes should be interrupted by the misconduct of individuals it is hereby agreed that for injuries done by individuals no private revenge or retaliation shall take place but instead thereof complaints shall be made by the party injured to the other—by the said tribes or either of them to the superintendant of Indian affairs or one of his deputies and by the superintendant or other person appointed by the President, to the chiefs of the said tribes. And it shall be the duty of the said chiefs upon complaint being made as aforesaid to deliver up the person or persons against whom the complaint is made to the end that he or they may be punished agreeably to the laws of the state or territory where the offence may have been committed ; and in like manner if any robbery violence or murder shall be committed on any Indian or Indians belonging to the said tribes or either of them, the person or persons so offending shall be tried and if found guilty punished in the like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribes shall to the utmost of their power exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States by any individual or individuals of their tribes, and the property so recovered shall be forthwith delivered to the superintendant or other person authorised to receive it that it may be restored to the proper owner ; and in cases where the exertions of the chiefs shall

Private revenge or satisfaction for injuries forbidden—Offenders on both sides to be apprehended and punished, according to law.

Chiefs of Indian tribes to exert themselves to have stolen horses, in possession of their tribes, restored.

be ineffectual in recovering the property stolen as aforesaid if sufficient proof can be obtained that such property was actually stolen by any Indian or Indians belonging to the said tribes or either of them the United States may deduct from the annuity of the said tribes a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians of the said tribes a full indemnification for any horses or other property which may be stolen from them by any of their citizens; provided that the property so stolen cannot be recovered and that sufficient proof is produced that it was actually stolen by a citizen of the United States.

Intruders on
the lands of
the Sac and
Fox tribes to
be removed.

ART. 6. If any citizen of the United States or other white person should form a settlement upon lands which are the property of the Sac and Fox tribes upon complaint being made thereof to the superintendant or other person having charge of the affairs of the Indians, such intruder shall forthwith be removed.

Indians to
enjoy the
privilege of
living & hunt-
ing upon the
lands now ce-
ded to the U.
S.

ART. 7. As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribes shall enjoy the privilege of living and hunting upon them.

None but au-
thorized Tra-
ders to reside
among the
Saukes and
Foxes

ART. 8. As the laws of the United States regulating trade and intercourse with the Indian tribes are already extended to the country inhabited by the Saukes and Foxes, and as it is provided by those laws that no person shall reside as a trader in the Indian country without a license under the hand and seal of the superintendant of Indian affairs or other person appointed for the

purpose by the President, the said tribes do promise and agree that they will not suffer any trader to reside amongst them without such license; and that they will from time to time give notice to the superintendant or to the agent for their tribes of all the traders that may be in their country.

ART. 9. In order to put a stop to the abuses and impositions which are practised upon the said tribes by the private traders, the United States will at a convenient time establish a trading house or factory where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed to procure them.

Trading house
or factory to
be established.

ART. 10. In order to evince the sincerity of their friendship and affection for the United States and a respectful deference for their advice by an act which will not only be acceptable to them but to the common Father of all the nations of the earth—the said tribes do hereby solemnly promise and agree that they will put an end to the bloody war which has heretofore raged between their tribes and those of the Great and Little Osages. And for the purpose of burying the tomahawk and renewing the friendly intercourse between themselves and the Osages a meeting of their respective chiefs shall take place, at which under the direction of the above named commissioner or the agent of Indians residing at St. Louis an adjustment of all their differences shall be made and peace established upon a firm and lasting basis.

Peace to be
made between
the Saukes and
Foxes and the
Great and
Little Osages,
thro' the me-
diation and
under the di-
rection of the
U. S.

ART. 11. As it is probable that the government of the United States will establish

Cession of land
for the esta-
blishment of a
military post
at or near the
mouth of the
Ouisconsin-
g river.

Traders or o-
therstravelling
thro' Indian
country to go
unmolested in
their persons,
and free from
any toll or
exaction.

Commence-
ment of the
operation of
this treaty.

a military post at or near the mouth of the Ouisconsin river and as the land on the lower side of the river may not be suitable for that purpose the said tribes hereby agree that a fort may be built either on the upper side of the Ouisconsin or on the right bank of the Mississippi, as the one or the other may be found most convenient, and a tract of land not exceeding two miles square shall be given for that purpose. And the said tribes do further agree, that they will at all times allow to traders and other persons travelling through their country under the authority of the United States a free and safe passage for themselves and their property of every description. And that for such passage they shall at no time and on no account whatever be subject to any toll or exaction.

ART. 12. This treaty shall take effect and be obligatory on the contracting parties as soon as the same shall have been ratified by the President by and with the advice and consent of the Senate of the United States.

IN TESTIMONY WHEREOF, the said William Henry Harrison and the chiefs and head men of the Sac and Fox tribes have hereunto set their hands and affixed their seals. Done at Saint Louis in the district of Louisiana on the third day of November, one thousand eight hundred and four; and of the Independence of the United States the twenty-ninth.

(Signed)

WILLIAM HENRY HARRISON, (L. s.)
Layauvois, or Laiyuiva, his X mark, (seal.)

Pashepaho, or the Geger, his ✕ mark, (seal.)
 Quashquame, or Jumping Fish, his } (seal.)
 ✕ mark,
 Outchequaha, or Sun Fish, his } (seal.)
 ✕ mark,
 Aahshequaxhiqua, or the Bear, } (seal.)
 his ✕ mark,

In presence of (the words "a branch of the Illinois," in the third line of the second article, and the word "forever," in the fifth line of the same article being first interlined,)

WM. PRINCE, secretary to the commissioner.

JOHN GRIFFIN, one of the judges of the Indiana Territory.

J. BRUFF, maj. art'y. U. S.

AMOS STODDARD, capt. corps artillerists:

P. CHOUTEAU.

CH. GRALIOT.

AUG. CHOUTEAU.

VIGO.

S. WARRELL, Lt. U. S. artillery:

D. DELAUNAY.

Sworn Interpreters.

JOSEPH BARRON,

HYPOLITE BOIRON, his ✕ mark.

ADDITIONAL ARTICLE.

It is agreed that nothing in this treaty contained shall affect the claim of any individual or individuals who may have obtained grants of land from the Spanish government and which are not included within the general boundary line laid down in this treaty,

proved that such grant have at any time been made known to the said tribes and recognized by them.

NOW therefore to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public; and I do hereby enjoin and require all persons bearing office civil or military within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof. In testimony, whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

DONE at the city of Washington the twenty-first day of February in the year of our Lord one thousand eight hundred and five, and of the Independence of the United States of America, the twenty-ninth.

TH: JEFFERSON.

By the President,

JAMES MADISON,

Secretary of State.

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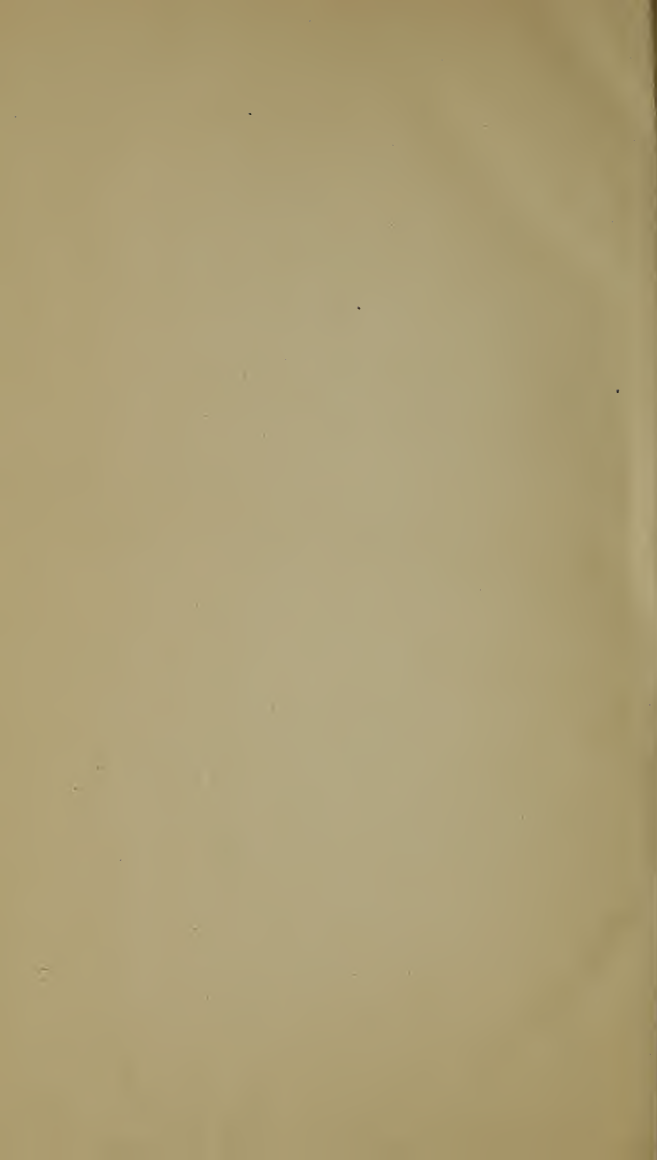
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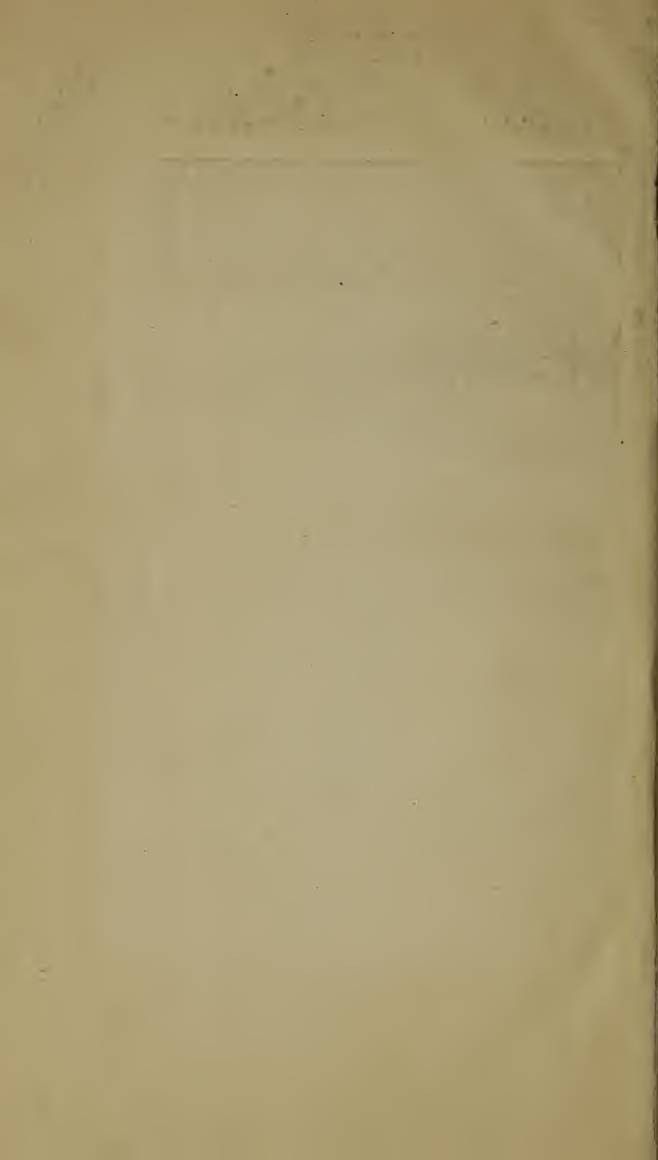
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